

**THE ECONOMIC FUNCTIONS  
OF THE ISLAMIC STATE  
(to the end of the Umayyad period)**

**by**

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## PREFACE

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## INTRODUCTION

The reason for including the whole of the Umayyad period under the title of 'Islamic state' is the common religious attachment of the rulers, but not the continuity in ideology which was practised during the Prophet's time and followed by the Pious Caliphs.

The focal point of the economic functions of the Islamic state is the institution of the Bayt-al-Māl, the exchequer, and many of the early writers have discussed all the sources of income and the heads of expenditure under the common title of amwāl or kharāj. Books on Ḥadīth and law have treated the subject of the Bayt-al-Māl under different headings: Ghanīma, Khums, Zakāt, Jizya, Kharāj and extra-religious taxes.

If the report that the holy Prophet got prepared a 'book' on Zakāt, Kitāb aṣ-Ṣadaqa, for circulation among the Zakāt-collectors and the tribal chiefs is correct, the literature on the subject dates back to the earliest period of Islam, possibly the year A.H.8. Portions of the 'book' are perhaps to be found in compilations on Ḥadīth and in books of history. This is in addition to those documents which were reportedly sent by the Prophet in the form of letters to different Arab princes and tribal chiefs and which generally discussed their financial obligations to the Islamic state.

Specialized works on the different heads of the Bayt-al-Māl were written during the period when books on Ḥadīth and history were compiled. A. Ben Shamesh, in his introduction to the English translation of Yahyā's Kitāb al-Kharāj has picked out twenty-one books which are known to have been written on the subject during the first four hundred years. But this list is confined to those books which bear the name of kharāj in their title. Books on the same subject with other names have not been included in it. Most important of such works are those to be found under the title of al-Amwāl, the earliest available being Abū-'Ubayd's (d. 244 A.H.) Kitāb al-Amwāl. Material relevant to this study is also to be found in books on geography, politics, administration, literature and in particular, history. This study is primarily based on the published works of Bālādhurī, Tabarī, Ya'qūbī, Abū-Yūsuf, Abū-'Ubayd and Yahyā. Their authenticity can be judged when they are supplemented by other classical sources on early history. The works of some patristic writers serve as a complementary material and help in clearing many confusions. The Greek Papyri, although fragmentary and inconclusive, are by far the best documentary evidence.

Of late some studies have been made by western scholars with a view to re-examining the validity of terminological interpretations of Jizya and Kharāj. Among them Frede Løkkegaard's Islamic Taxation

in the Classic Period is the last book to advocate this school of thought, while D.C. Dennett, in his Conversion and the Poll-Tax in early Islam has seriously criticised their approach. Løkkegaard's temptation to criticise as many points in the different stories and narrations as possible has made his work largely irrelevant and beside the point and seriously affected its objectivity. Dennett has, on some points at least, overadvocated the early sources, but on the whole maintained the balance and the utility.

The scope of the present study is to try to discover both what was really practised and also what ideas the practice was based upon.

# LIST OF ABBREVIATIONS

Abu Daud,	Abū-Dā'ūd, <u>Sunan</u>
A.C.J.	Johnson, <u>Egypt &amp; the Roman Empire</u>
Ag.	Aghnides, <u>Muhammedan Theories of Finance</u>
Agh.	al-Aṣbahānī, <u>Kitāb al-Aghānī</u>
A.S.	Abū Sālīh, <u>Churches and Monasteries of Egypt</u>
Athir,	Ibn al-Athīr, <u>Ta'rīkh</u>
A.U.	Abū-Ubayd, <u>Kitāb al-Amwāl</u>
Bal.	al-Balādhurī, <u>Futūh al-Buldān</u>
Bukh.	al-Bukhārī, <u>Ṣaḥīḥ</u>
But.	Butler, <u>The Arab Conquest of Egypt</u>
Cheikho,	al-Yasū'ī, <u>Shu'arā' an-Naṣrāniyya</u>
_____ (Adab)	<u>an-Naṣrāniyya wa Adabuhā</u>
Denn.	Dennett, <u>Conversion &amp; the Poll Tax in early Islam</u>
Dh. (Ibar),	adh-Dhahabī, <u>Al 'Ibar ...</u>
Dh. (Tar),	adh-Dhahabī, <u>Ta'rīkh</u>
E.I. I,	<u>Encyclopaedia of Islam</u> , Old edition
E.I. II,	<u>Encyclopaedia of Islam</u> , New edition
Gibbon,	Gibbon, <u>The History of the Decline and Fall of the Roman Empire</u>
I.A.H.	Ibn 'Abd al-Ḥakam, <u>Futūh Ifrīqiyya...</u>
I.A.H. (M),	Ibn 'Abd al-Ḥakam, <u>Futūh Miṣr</u>
I.A.H. (U),	Ibn 'Abd al-Ḥakam, <u>Sīra 'Umar b. 'Abd al-'Azīz</u>
Ibn Tayfur,	Ibn Tayfūr, <u>Kitāb Baghdād</u>
I.F.	Ibn al-Faqīh, <u>Kitāb al-Buldān</u>
I.H.	Ibn Ḥawqal, <u>Kitāb al-Masālik wa 'l-Mamālik</u>
I.K.	Ibn Khurdādhbih, <u>Kitāb al-Masālik al-Mamālik</u>
Ist.	al-Iṣṭakhrī, <u>Masālik al-Mamālik</u>
J.G.M.	Milne, <u>A History of Egypt</u>
J.M.H.	Hussey, ed. <u>The Cambridge Medieval History</u>
J & W.,	Johnson & West, <u>Byzantine Egypt - Economic Studies</u>
Jahs.	al-Jahshiyārī, <u>Kitāb al-Wuzarā' wa 'l-Kuttāb</u>
Kath.	Ibn-Kathīr, <u>al-Bidāya wa 'n-Nihāya</u>
Khal.	Ibn-Khaldūn, <u>Ta'rīkh</u>
Khalifa,	Ibn-Khayyāt, <u>Ta'rīkh</u>
Kh.	Abū-Yūsuf, <u>Kitāb al-Kharāj</u>



Kharbutli,	al-Kharbūtlī, <u>Ta'rīkh al-'Irāq</u>
Kindi,	al-Kindī, <u>Kitāb al-Wulāt wa 'l-Quḍāt</u>
Lestr.	Le Strange, <u>Palestine under the Muslims</u>
Lok.	Løkkegaard, <u>Islamic Taxation in the Classic Period</u>
Maj.	Ibn-Māja, <u>Sunan</u>
M.B.Y.	Muḥammad b. Yahyā, <u>at-Tamhīd wa 'l-Bayān</u>
Maq. (Im),	al-Maqrīzī, <u>Imta' al-Asmā'</u>
Maq. (Kh),	al-Maqrīzī, <u>al-Mawā'iz wa 'l-I'tibār</u>
Maq. (Nuqud),	al-Maqrīzī, <u>an-Nuqud al-Islāmiyya</u>
Mas.	al-Mas'ūdī, <u>Murūj adh-Dhahab</u>
Maw.	al-Māwardī, <u>al-Aḥkām as-Sultāniyya</u>
Muq.	al-Muqaddasī, <u>Aḥsan at-Taqāsīm</u>
Mus.	Muslim, <u>Ṣaḥīḥ</u>
Naji,	Ma'rūf Nājī, <u>'Urūba al-Mudun al-Islāmiyya</u>
Naqsh.	an-Naqshabandī, <u>ad-Dīnār al-Islāmī</u>
Nas.	an-Nasai, <u>Sunan</u>
Ostr.	Ostrogorsky, <u>History of the Byzantine State</u>
Patr.Or. 8	<u>Patrologia Orientalis</u> , Vol. 8.
Patr.Or. 13	<u>Patrologia Orientalis</u> , Vol. 13.
Qud.	Qudāma, <u>Kitāb al-Kharāj</u>
Qut.	ad-Dīnawarī, <u>'Uyūn al-Akḥbār</u>
S.A.E.	Ṣāleḥ Aḥmad Elalī, <u>History of Basra</u>
Scr.Ar.VII,	Patriarch Sa'īd (Eutychius) <u>Annales</u>
S.L.P.	Stanley Lane-Poole, <u>History of Egypt</u>
S.L.P. (Coins)	Stanley Lane-Poole, <u>Coins &amp; Medals</u>
Sad.	Ibn Sa'd, <u>at-Ṭabaqāt</u>
Severus,	Severus b. al-Muqaffa', <u>Historia Patriarcharum</u> <span style="float: right;">1m</span>
Shafi,	ash-Shāfi'ī, <u>Musnad</u>
Sira,	Ibn Hishām, <u>Sīra</u>
Sti.	as-Suyūṭī, <u>Ta'rīkh Khulafā</u>
Sykes,	Sir Percy Sykes, <u>A History of Persia</u>
Tab.	at-Ṭabarī, <u>Ta'rīkh</u>
Tir.	at-Tirmidhī, <u>as-Sunan</u>
Waq.	al-Wāqidī, <u>Maghāzī</u>
Watt(Medina),	Prof. Watt, <u>Muḥammad at Medina</u>
Watt(Prophet),	Muḥamad, <u>Prophet and Statesman</u>
Well.	Wellhausen, <u>The Arab Kingdom &amp; its Fall</u>
Yah.	Yahyā b. Ādam, <u>Kitāb al-Kharāj</u>
Yaq.	Ibn Wāḍiḥ, <u>Ta'rīkh</u>
Yaq. (B),	Ibn Wāḍiḥ, <u>K. al-Buldān</u>



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## SUMMARY

The Qur'ān, while it does not elaborate them into a system does contain certain fundamental principles which form the basis of the economic life of the individual and the community (Chapter 1). The Ḥadīth literature mostly defines or elaborates the fundamental principles of the Qur'ān (Chapter 2). The Islamic ideology and moral discipline of the Muslims have formed the basis of their life as also of their economic principles in the early period (Chapter 3).

Islam, since the very beginning, did not leave the various economic activities to operate freely. Right of ownership of land was curtailed. Other economic activities were effectively controlled (Chapter 4).

Voluntary ṣadaqa was the most important source of financing the limited government expenditure during the Prophet's time. Other major sources of income throughout this period were Ghanīma, Khums, Zakāt, Jizya and Kharāj (Chapters 6-8). Taxes on conquered territories were not burdensome. Many minor sources of income were added from time to time (Chapter 9). People were very sensitive to the concept of the Bayt-al-Māl as being public wealth (Chapter 5). The concept gradually narrowed down to provincialism (Chapter 10). The major head of expenditure of the funds were pensions, defence, agriculture, and public welfare projects (Chapter 11). 'Abd-al-Malik nationalized coinage and set up official mints (Chapter 12). Cost of living during the period was moderate and commensurate with incomes. Affluence was widespread. It remained so in the face of a fast growing population (Chapter 13).

**PART I**

**BASIC**

**CONSIDER/S**

## CHAPTER 1

ECONOMIC TEACHINGS OF THE QUR'ĀN  
(An outline)

The Qur'ān,<sup>1</sup> while it does not elaborate them into a system, does contain certain fundamental principles which form the basis of the economic life of the individual and the community. It is on the basis of these principles, as interpreted partly by the Prophet and partly by his Companions, that the edifice of the economic life of the individuals is built and the economic objectives and functions of an Islamic state are determined. It is, therefore, not surprising that some of the moral principles, too, form the basis of far-reaching economic implications involving both the individual and the state. The Qur'ānic injunctions prohibiting alcoholic drinks, as interpreted by the Prophet, makes it unlawful for the Muslims to enter into this trade and for an Islamic state to patronize this industry. As a result this has a far-reaching impact on the industrial and fiscal policies of an Islamic state in the sense that this industry can be monopolised exclusively by the non-Muslims and enjoy exemption from excise levies

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1. While preparing this note the following commentaries of the Qur'ān have been utilized:

1. Ṭabarī: Tafsīr.
2. Qurtubī: al-Jamī' li-aḥkām al-Qur'ān.
3. Ibn al-'Arabī: Aḥkām al-Qur'ān
4. Jaṣṣāṣ: Aḥkām al-Qur'ān.
5. Bayḍāwī: Anwār at-Tanzīl wa asrār at-Tā'wīl.



## THE CONCEPT OF OWNERSHIP

Apart from such moral principles as have their bearing on economic life it should be kept in mind that the entire Islamic order is based on moral discipline which, in turn, derives inspiration from its basic philosophical concepts. In this way it is basically the religious foundation that motivates the entire Islamic way of life and makes its personal, social, and economic rules of conduct effective. But for the firm belief in the philosophical concepts and the practice of its moral principles, the Qur'ānic concept of the ownership of property, the rules of consumption and utilization of economic resources, the enforcement of its fiscal and monetary injunctions, and the principles of distribution would have been utterly ineffective and meaningless.

The basic principle which the Qur'ān asserts in respect of man's economic behaviour is his position vis-à-vis resources, all of which are produced by God for mankind.<sup>2</sup> It recognises man's right to own property for personal use and for production but does not give him absolute right over it. This is discernible from a study of the Islamic law of inheritance under which a number of near relations are made to share the bequest in fixed ratios whether or not the testator or the propositus would be agreeable to it during his lifetime. The shares to be distributed among

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2. "And We have given you power in the earth and appointed for you therein a livelihood..." (7:10)

"Say: Who hath forbidden the adornment of Allāh which He hath brought forth for His bondmen, and the good things of His providing...?" (7:32)

"He is who created for you all that is in the earth."  
(2:29)



the recipients are apportioned in the Qur'ān and cannot be altered. To emphasise the limitations to the absolute right of ownership, the Qur'ān attributes the creation of economic resources to God in the following words:<sup>3</sup>

"And He it is Who spread out the earth and placed therein firm hills and flowing streams, and of all fruits He placed therein two spouses (male and female)".  
(13:3)

"Allah is He Who created the heavens and the earth, and causeth water to descend from the sky, thereby producing fruits as food for you, and maketh the ships to be of service unto you, that they may run upon the sea at His command, and hath made of service unto you the rivers. And maketh the sun and the moon, constant in their courses, to be of service unto you, and hath made of service unto you, the night and the day. And He giveth you of all ye ask of Him, and if ye would count the bounties of Allah ye cannot reckon it."  
(14:32-34)

"He it is Who has made the earth subservient unto you, so walk in the paths thereof and eat of His providence."  
(67:15)

This divine gift is emphasised even in the case of man made goods. This is derivable from the words like 'Allāh's bounty' (3:180);<sup>4</sup> 'Allah hath given you (your economic resources) to maintain yourself (4:5); 'We have bestowed on them' (35:29); 'He will increase them of His grace' (35:30); "and let not those who hoard up that which Allāh hath bestowed upon them' (3:180); 'in that which Allāh hath given thee' (28:77); 'and whatever ye have been given is but a passing comfort for the life of the world' (42:36).

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3. Here and hereinafter M.M. Pickthall's translation of the Qur'ān has been reproduced, unless otherwise stated.

4. For reference to full Verses referred to in this Chapter, see Appendix I.

All these references speak of God's ultimate ownership, in essence.

Side by side with these pronouncements the Qur'ān also does not refuse man's de facto ownership of these resources. The frequently used phrases such as, 'his wealth' (2:264); 'their wealth' (2:261,262; 4:2,6; 9:103; 51:19; 59:7); 'your wealth' (2:188; 4:2,24; 61:11); 'property of others' (2:188); 'wealth of orphans' (4:10), suggest the de facto ownership of man over anything that forms the definition of economic goods. Similarly expressions like 'ye have your principal' (2:279); 'unto the man belongeth a share....unto the woman a share' (4:7); 'they are their (livestock's) owners' (36:71); 'take alms of their wealth' (9:103); 'ye have given unto one of them a large sum of money' (4:20); 'and for the poor Emigrants who have been driven out of their homes and deprived of their belongings' (59:8) are suggestive of the private ownership of the individuals over capital, movable and immovable properties, livestock, precious metals, large sums of money and dwellings. At some other places words like 'pledge in hand' (2:283); 'and the wealth ye have acquired and merchandise for which ye fear that there would be no sale, and dwellings ye desire...' (9:24); 'pay the poor due thereof upon the harvest day' (6:141) allude to private ownership over hoarded wealth, trade and dwellings and agricultural crops.

The above lines elucidate the Qur'ānic concept of the ownership of the articles of consumption and the means of production. To sum up, ownership of all these resources

is attributed to God but the right of ownership in respect of consumption, utilization and disposal is fully vested in man. This relationship is best illustrated in the following Verses:-

"He it is Who hath placed you as viceroys of the earth and hath exalted some of you in rank above others, that He may try you by (the test of) that which He hath given you..." (6:166)

"Believe in Allah and His messenger and spend of that whereof He hath made you trustees; and such of you as believe and spend (aright) theirs will be great reward." (57:7)

According to the above-quoted Verses man is supposed to treat himself as God's viceroy on earth and take the economic resources therein as a sacred trust to be used in accordance with God's pleasure. This position has repeatedly been explained in the Qur'ān directly and indirectly, and man has been persuaded to reconcile himself to His vicegerency and treat the economic resources as a trust. The Qur'ānic phrases such as, 'Allāh hath bestowed upon them His bounty' (3:180); 'Allāh hath given you to maintain' (4:5); 'by that which He hath given you' (6:166); 'who spend of that which We have bestowed on them' ... 'He will increase them of His grace' (35:29,30), again and again infuse the same spirit into the mind of man.

### THE MORAL FIBRE

A very important and characteristic feature of the economic teachings of the Qur'ān is that they are equally or perhaps more profoundly permeated with the basic concept as an inspiring force. At places economic behaviour has



been given economic rationale. But such cases are few as compared with their moral basis. It is clearly found that the economic rationale has been subordinated to moral accomplishments, as, for instance, in the Verses prohibiting interest (ribā) wherein the practice is treated as injustice (2:279). This seems to be a possible economic cause of prohibition. But the Qur'ān does not end the matter here. It characterizes this practice as eliciting a declaration of war from God and His Messenger (2:279) and likens the devourer of interest to one who will rise (from his grave) whom Satan has prostrated by his touch (2:275). Another economic rationale behind the prohibition of interest as laid down in the Qur'ān is that "Allāh hath blighted interest<sup>5</sup> and made almsgiving fruitful" (2:276). But this too is immediately followed by 'Allāh loveth not the impious and the guilty' (ibid). At another place the trustees of the bequest have been reminded of the economic rationale behind distribution of inheritance among the beneficiaries and of their duty to be fair in distribution in the following way:

"And let those fear (in their behaviour towards orphans) who if they left behind them (economically) weak offspring would be afraid of them. So let them mind their duty to Allāh, and speak justly." (4:9)

The economic rationale behind the distribution of Fay<sup>6</sup> (sequestered enemy property) is declared to be that wealth may become not a commodity to be circulated only between

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5. Pickthall, usury.

6. For explanation of the term see *infra*; also Chapter 6.

the rich among you' and is immediately followed by the warning to 'take only what the Apostle of Allāh gives them and to abstain from whatever he forbids them' (59:7).

They are also reminded to 'keep their duty to Allāh because He is stern in reprisal' (ibid). Almsgiving and interest are distinguished in the following words:

That which ye give in usury in order that it may increase on other people's property hath no increase with Allāh; but that which ye give in charity, seeking Allāh's countenance hath increase manifold. (30:39)

Wealth is recognised to be 'an ornament of the life of the world' but the wealthy are reminded that it is good deeds and spending for noble causes which are 'better and long-lasting in the Lord's sight for reward' (18:47). Economic rationale and moral inspiration seem to be inseparable in the following Verses:

They question thee about strong drink and games of chance. Say: In both is great sin, and (some) utility for men; but the sin of them is greater than their usefulness. And they ask thee what they ought to spend. Say: That which is superfluous. Thus Allah maketh plain to you (His) revelation, that haply ye may reflect. (2:219)

Give not unto the foolish (what is in) your (keeping of them) wealth, which Allah hath given you to maintain; but feed and clothe them. Prove orphans till they reach the marriageable age; then if ye find them of sound judgement deliver unto them their fortune; and devour it not by squandering and in haste lest they should grow up. Whoso (of the guardians) is rich, let him abstain generously (from taking of the property of the orphans); and whoso is poor let him take thereof in reason (for his guardianship). And when ye deliver up theirs unto orphans, have the transaction witnessed in their presence. Allah suffices as a Reckoner. (4:5,6)

But for these instances the rationale behind such injunctions is purely moral and religious. God's pleasure is made the object of spending for noble causes (2:195,262,



272; 3:92; 35:29,30; 42:32), providing subsistence to the have-nots (2:171; 76:89), earning of livelihood through lawful means, (57:27; 62:16) and abstaining from professions causing obscenity and immorality (2:268).

Muslims are threatened with damnation in the Hereafter if they indulge themselves in breach of trust and misappropriation (4:10; 2:283), embezzlement (3:161), niggardliness (3:180; 9:34), immoral and obscene activities (29:19,21), and businesses relating to misleading pastimes (31:6). Muslims are advised to consume 'of that which Allāh hath bestowed on them as food lawful and good' and are reminded to 'keep their duty to Allāh in whom they are believers' (5:88). Spending in noble cause and in particular hidden spending is treated as a tool for purification (2:171; 9:103). Success in the Hereafter is made to be achieved through 'abstaining from miserliness' (64:15,16), from use of wine and games of chance, because they are treated as 'Satan's handiwork' (5:90).

The above discussion should be sufficient to make it clear that moral and religious principles are the basis on which the entire structure of the Qur'ānic economics rests. But while the current of morality is made to flow beneath the surface of economic life, a process of moral perfection seems to have been in operation within the economic life itself. While a man is made to refrain from hoarding wealth and is exhorted to spend it for noble cause; he is advised to spend on superior (but) not inferior things (2:267; 3:92, etc.) and to abstain from capitalising on his spending through publicity (2:264). This attitude to the poor is

more significant in the case of one's subordinates. Slaves have always been treated as a commodity and are placed in the lowest tier of subordination. The number of slaves owned by a man used to be the standard of one's richness because, in medieval society, slaves and not paid employees were generally responsible for maintaining livestock, cultivation, trade and entourage. The Qur'ān has not only persuaded its followers to contract manumission of their slaves on receiving from them a certain sum of money (24:33) but has also recommended to 'bestow on them of the wealth of Allāh' (ibid) so that the procedure of their freedom is facilitated. This economic uplift of the poor, and freedom of the slaves cannot be overemphasised in a medieval Arab society where selfish motives were strongly in operation.<sup>7</sup> These measures could only result in minimising economic inequalities on the one hand and creating the maximum possible number of independent economic units, on the other. In this way the Qur'ān not only intends to achieve its economic objectives with the moral discipline of its followers, but also intends to achieve moral and social objectives with the operation of its economic principles. As a result, these units could become socially and economically inter-dependent as compared with the earlier situation in which most of the people depended on the few wealthy persons. And practically this system of interdependence pulled down the pillars of the

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7. Prof. W.M. Watt: Islam and the Integration of Society, London, 1970, (Chapter on "The place of Economic and Social Change").

old social and economic order.

Before closing this discussion of the role of moral principles in the economic teachings of the Qur'ān it will not be out of place to emphasise that moral culture is not exclusively a personal affair in Islam. The philosophical concepts are no doubt a matter of personal belief and nobody can ever ascertain the degree of one's belief in these concepts. But moral discipline makes possible its demonstration in social life and does not remain to be a personal or discretionary matter. The Qur'ān prescribes it for an Islamic state to ensure that it enjoins 'ma'rūf', kindness, and forbids 'munkar', inequity. It is made clear in the following Verses:-

Those who, if We give them power in the land, establish worship and pay the poor-due and enjoin kindness and forbid inequity. And Allāh's is the sequel of events. (22:41)

And there may spring from you a nation who invite to goodness, and enjoin right conduct and forbid indecency. Such are they who are successful. (3:104)

### LAWFUL AND UNLAWFUL

This enjoining of right conduct (ma'rūf) and forbidding of indecency (munkar) leads to the question of the criterion of good and evil as relevant to the economic life of man. Before passing on to the discussion of the rules of the lawful and unlawful (halāl and haram), it seems worthwhile to classify the economic teachings of the Qur'ān into two groups, viz. personal economic behaviour and social economic behaviour. Personal economic behaviour has two aspects: the positive and the negative. The positive aspect seems



to be striking a mean between two extremes. For example, the Qur'ān, on the one hand, criticises monasticism (57:27) and persuades men to look to their personal adornment at every place of worship, and eat and drink without being prodigal (7:31,32). It says:

O children of Adam! Look to your adornment at every place of worship, and eat and drink, but be not prodigal. Lo! He loveth not the prodigals.

Say: Who hath forbidden the adornment of Allāh which He hath brought forth for His bondmen, and the good things of His providing? (7:31,32)

On the other hand, it reminds him that 'wealth and children are an ornament of the life of the world. But the good deeds which endure are better in thy Lord's sight for reward and better in respect of hope.' (18:46). These Verses suggest that man should neither become ascetic nor should he be lost in the world. In between these two extremes he must enjoy in this world all good things remaining within the prescribed limits. Man is allowed to earn wealth, marry and beget children but must avoid boasting and 'rivalry in respect of his wealth and children' (57:20). Similarly, the Qur'ān on the one hand, criticises niggardliness (3:180; 4:37; 9:34) and on the other disapproves of prodigality and excessiveness (ibid). It suggests a mean in the following words:

And let not thy hand be chained to thy neck nor open it with a complete opening, lest thou sit down rebuked, denuded. (17:29)

On the one hand men are exhorted to range in the land and seek of Allāh's bounty through trade etc. (62:10), to 'walk in the paths of earth and to eat of His providence' (67:15) but on the other, the Qur'ān warns that 'the wealth ye have

acquired and the merchandise for which ye fear that there will be no sale...should not become dearer to you than Allāh (9:24). On the one hand it forbids from coveting 'the thing in which Allāh hath made some of you excel others' (4:32) and on the other, it advises him to ask of His bounty' (4:32) and be not content upon whatever meagre resources he has got. On the one hand it recognises in a parable that:

Allāh hath favoured some of you above others in provision. Now those who are more favoured will by no means hand over their provision to those (slaves) whom their right hand possesses, so that they may be equal with them in respect thereof. Is it then the grace of Allāh that they deny? (16:71)

On the other hand it recommends the following behaviour:-

And such of your slaves as seek a writing (of emancipation) write it for them if ye are aware of aught of good in them, and bestow upon them of the wealth which He hath bestowed upon you... (24:33)

The examples cited above suggest an inclination towards generosity (ihsān) and spiritual aspect but the prescribed minimum lies between two extremes. The compulsory individual economic behaviour thus suggests a via-media, with proneness to generosity as a mark of distinction. This moderate behaviour can be termed as 'adl inclining towards ihsān, in the Islamic terminology.

On the negative side the policy seems to be to forbid Muslims to use certain items which have been termed foul or sinful. These items include the use of wine (5:90) carrion, blood, and swine flesh (6:146). These prohibitions seem to be strictly personal but their impact on the economic life of society cannot be overemphasised in Islam.<sup>8</sup>



In social economic behaviour the negative aspect is more eloquent than the positive one. On the positive side one finds in the Qur'ān only a few general principles; but these general principles, in fact, form the very basis of the details of the economic system. The principles contained in the following verses reflect the spirit underlying the economic policies to be followed by an Islamic state.

Lo! Allah commandeth you that ye restore deposits to their owners, and if ye judge between mankind, then ye judge justly... (4:58)

O ye who believe! Be staunch in justice, witness for Allah, even though it be against yourself or (your) parents or (your) kindred, whether (the case be of) a rich man or a poor man, for Allah is nearer unto both (than ye are). (4:135)

O ye who believe! Be steadfast witness for Allah in equity, and let not hatred of any people seduce you that ye deal not justly. Deal justly, that is nearer to your duty. (5:8)

Say! My Lord enjoineth justice. (7:29)

Give full measure and be not of those who give less than the due. And weigh with true balance. Wrong not mankind in their goods, and do not evil, making mischief in the earth.... (26:181-183)

Allah forbiddeth you not, those who warred not against you on account of religion and drove you not out from your homes that ye should show them kindness and deal justly with them. Lo Allah loveth the just dealers. (60:8)

It will be noticed that in all these Verses justice and equity, 'adl and qist, are the essential principles. Similarly in the Verses prescribing the writing of credit transaction, the scribe is warned to record it 'in terms of equity (2:282). In case the debtor is naive or weak (safīhan aw da'īfan) or unable himself to dictate the terms, the guardian of his interest is required to dictate it 'in

terms of equity'. This equitable way has been treated as 'the best way of avoiding doubts' between the parties (2:282). These instances suggest that the basic principle of justice and equity is made to operate in the economic life as also in any other social sphere of activity in Islam.

The scope and interpretation of justice and equity can best be understood if it is placed in relation to its antonym. Verse 4:127, as cited above, may be repeated here to enable a fuller appreciation of the opposites:

Concerning female orphans unto whom ye give not which is ordained for them though ye desire to marry them, and concerning the weak among children, and that you should deal justly with the orphans. (4:127)○

Corresponding to this Verse another reads as follows:-

Those who devour the wealth of orphans unjustly (zulman)<sup>9</sup> they do but swallow fire into their bellies. (4:10)

The two Verses suggest that the positive 'adl and qist, i.e., justice and equity correspond to the negative zulm, i.e., injustice and inequity. And this injustice is perpetrated in case respect for somebody's property or wealth is violated. This is also discernible from 4:29, 30<sup>10</sup> in a broader sense of application. This violation also occurs in theft and it is not surprising that this act is also treated as zulm (5:39). The Verses prohibiting interest treat this practice as zulm (2:279). It means that the concept of zulm is as broad in Islam as that of 'adl and ihsān.

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9. Pickthall, 'wrongfully' for zulman.

10. O ye who believe! Squander not your wealth among yourself in vanity, except it be a trade by mutual consent... whoso does that through aggression and injustice, We shall cast him into Fire....

To sum up, individual economic behaviour of man is governed by the principle of moderation in consumption and abstinence from all those practices which are termed as 'foul' unhealthy or satanic. The social economic behaviour is governed by principles of justice and equity and abstinence from injustice and violation. The overall trend of the Qur'ān is generosity and leniency termed as iḥsān. These are the principles which govern not only economic life, but they are the basis of its entire moral and social system. That is why the moral, social, and economic aspects are everywhere inextricably intertwined.

With these basic considerations a summary of the lawful and unlawful practices can be reproduced for a detailed study of their impact on different aspects of economic life.

All goods are owed to Allāh and are created or produced for man who has the right to earn, possess and dispose of these economic resources under some restrictions. Private ownership must be respected. Earnings can be made through personal effort (9:24; 2:267) or through mutual cooperation (43:32). Man should be honest, just, and equitable in earning and in discharging his obligations to others. He must abstain from injustice and violation. Performance of supererogatory obligations is commended. Sacrifice for others is admired. All the activities which are disapproved by God must be avoided. Everything that is against the principle of justice and equity or which is detrimental to the interest of other persons or society is banned. These include acquisition through theft (5:39)



plunder (5:33), interest (2:275-79) and gambling (5:90,91; 2:219). Practices which cause indecency and immorality are prohibited. These include earnings through obscene professions (2:268; 24:33; 7:33), wine (2:219; 5:90), misleading pastimes (31:6) and prostitution (24:33). Defrauding others is sinful. This covers earnings through breach of trust (3:161), misappropriation (2:188), embezzlement (3:161), deluding publicity and advertisement (3:161), getting a favourable court decree to grab other's property wrongfully through bribe (2:188), and tampering with the documents of business or debt (2:282). Similarly it is not lawful to destroy potential human capital or production (2:205) for political reasons or on the pretext of economic reasons (17:31). Earning through business in carrion, blood, swineflesh and soothsaying (5:90-91; 2:173) is also not permissible. A man who avoids unlawful means of earning is respectable. It is unto Allah to make his effort fruitful as much as He will because 'thy Lord enlargeth the provision for whom He will and straighteneth it for whom He will (17:30). It should not be a point of grudge that 'He hath favoured some men above others in provision' (16:71). 'Unto men a fortune from that which they have earned and unto women a fortune from that which they have earned' (4:32). The just way of obtaining an increase is to make an effort in the right direction and to 'ask of Allah His bounty' (4:32).

## ON CONSUMPTION

While the Qur'ānic principles of social economic behaviour largely govern distribution, exchange and some aspects of production, the principles of personal economic behaviour go a long way in determining the pattern of consumption and the 'what-to-produce' aspect of production.○ The Qur'ānic principles relating to consumption have a lot of bearing upon the concept of the standard of living which in the modern civilization has attained sacrosanctity. The ultimate object of all economic activity is maximum satisfaction of human wants, and the criterion of economic achievement is now judged by the living standard a society has reached. The object of attaining higher and higher standards in a society adhering to materialistic values of life has, in most countries, led to the unbridled race for grabbing more and more economic resources and attaining a higher standard of living than the existing one. This has led man into a vicious circle which is not easy to break. Having knocked away the props of morality and religious values and being urged by purely epicurian motives the different classes are now confronting each other in an unrelenting hostile posture. Each one is doggedly endeavouring to exploit the other and this struggle in some countries has culminated into a socialism which, to state with a grain of salt, has made them equal in poverty and refused them the right to preserve their freedom and dignity and nourish their self-respect. Under this reactionary system the standard of living of the individual is secondary to social requirements and the mix of consumer goods to be produced is not

determined by the demand of individuals or households but by the planning officer. Man has been relegated to a position where socially he never was, and an apparently innocent beginning has led humanity to a tragic end.

The Qur'ān makes a disparate approach to the question of the standard of living. On the one hand, it gives due cognizance to natural tendencies in man which operate as a stimulus to work, to earn, and to spend; and on the other, uses the force of its eschatological beliefs and edification to suppress the tendencies which expose man to depravity from within himself and from outside. To achieve this purpose it does not shrink from authorizing the state to legislate for the same. Eschatological beliefs and moral teachings are copiously included throughout the Qur'ān and not infrequently they concur with its social and economic teachings. The Qur'ān seems to be alive to the fact that its over-emphasis on moral concepts may lead man to asceticism and he may be inclined to spurn the worldly life. To balance this extremity it emphasises on man the significance of material prosperity in life and induces him to avail himself of these 'bounties of God'. The Qur'ān tends to respect the material and sentimental attachments.<sup>11</sup> It treats livelihood as God's bounty and persuades man to earn it. This is reflected in the use of the words which carry this sense. Words like khayr, virtue, and faḍl,<sup>12</sup> bounty,

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11. 5:96; 16:5-18; 18:7,46; 28:77.

12. For khayr see 2:180,215,272,273; 100:8 etc.  
For faḍl see 62:10; 73:20; 2:198; 4:32,73 etc.



repeatedly appear in the Qur'ān to signify wealth, livelihood, or trade. The functions of wealth are mentioned as a source of livelihood (4:5), ornament or adornment for this life (18:46), a protection against future odds (4:9), a capital for worldly life (42:36) and a trial for the Hereafter (6:166). Men and women are made equal in their entitlement to their earnings and possessions (4:32). Man is persuaded to move about in the earth and earn his livelihood which has already been provided there.<sup>13</sup>

The economic activities as hinted at in the Qur'ān include trade, commerce, cultivation, gardening, forestry, fishing, animal husbandry, manufacturing and sea-faring. The extent of this persuasion is evident in the Qur'ānic view of prayers in relation to the earning of livelihood. It not only permits the Muslims to disperse in the earth and earn their livelihood after Friday prayers (62:10) but also advises the Prophet to cut short the morning prayers in order that economic activity is not hampered (73:20). It also allows its followers to continue their trade during their journey for Hajj (2:198). Along with these incentives to earn, it repeatedly persuades man to satisfy his wants and demonstrate his prosperity,<sup>14</sup> without any feeling of ostentation. The standard of the satisfaction of wants is responsible for setting a standard of living. The Qur'ān has not drawn any line beyond which man may refrain from consuming lawful things. This spirit can be understood

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13. 7:10; 78:11; 67:15.

14. 4:37; 82:20.

from the following Verse:

Say: Who hath forbidden the adornment of Allāh which He hath brought forth for His bondmen, and the good things of His providing... Say: My Lord forbiddeth only indecencies, such of them as are apparent and such as are within, and sin and wrongful oppression... (7:32,33).

Along with the Verses like the one cited above the way in which the Qur'ān has reiterated spending on ones own self and on others, raises a problem which has faced the Muslim society till this day and poses a challenge, as to how capital formation can be effected with this frame of mind. The Verse 'they ask what they ought to spend. Say: That which you spare'<sup>15</sup> (2:219), accommodates for any reasonable consumption pattern. This pattern is governed by taste, tolerance and conventions and may differ from man to man. It covers necessities, comforts and luxuries. The only line drawn beyond this limit is overspending (israf) which is not desirable even in spending on others because this may leave him denuded, rebuked (17:29). The situation contrary to this is niggardliness which, in the context of consumption, implies a condition under which man abstains from spending or, in other words, starts saving. There can be a number of motives responsible for this behaviour over and above the natural tendencies. Man may be oversensitive to unforeseen odds in the future or may be willing to bequeath sufficient funds for his family. This is the speculative motive. Man may be willing to provide for any probable business requirement in the near future. This is transactio n

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15. Pickthall, 'superfluous' for 'you spare'; the original word being al-'afw.

motive. He may be willing to save in order to earn profit by way of interest etc.; if possible. This is profit motive. It will be seen that the Qur'ān does not altogether rule out the three motives.<sup>16</sup> It simply ensures that man does not over-emphasise these motives and that his act of saving does not disturb proper circulation and distribution of wealth. To achieve this object it uses its moral force, on the one hand, and its monetary and taxation policies on the other. These moral injunctions of the Qur'ān strike a balance between savings for different motives and spending over oneself and in good cause.<sup>17</sup> As regards the Qur'ānic measures to achieve this object through monetary and taxation measures, study will be made in the relevant section is.

The Qur'ān builds up the economic structure of its society with the concepts on consumption as outlined above. Practically a well-to-do man who wants to save in response to the three motives without neglecting his obligations to society cannot but manage to personally live a simple life although better than the poorer members of his society. The Qur'ānic warning not to be niggardly nor to induce others to be niggardly has both a direct and an indirect bearing. The situation of indirectly inducing others to be niggardly may also arise as a result of creating a demonstration effect of one's resourcefulness. The Qur'ān on the one hand warns such people of a 'shameful doom' (4:37) and on the other convinces others not to 'covet the thing in which

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16. 4:8,9; 17:26,29.

17. 3:180; 4:36,39,128; 9:34.



Allāh has made some of them excel others' (4:32). This act of excellence or inequality after practising economic justice is attributed to God and is declared as a trial.<sup>18</sup>

Thus the Qur'ān with its philosophical concepts, edification and economic teachings builds up a pattern of consumption, of standard of living, and of saving, as distinct from the present day capitalistic or socialistic pattern and shuns the problem of class-antagonism which has been treated by some economic philosophers as 'the history of all the hitherto existing society'.<sup>19</sup>

The entire discussion on consumption seems to suggest that the Qur'ān leaves the matter of determining consumption patterns and the operations of the motives of saving to the mental attitude of the individuals. As a matter of fact this is not so. The outlook which the Qur'ān desires to cherish is not merely personal; it is social. But for a general change in the outlook of the whole society and supporting government policies; its view of ownership; its moral and business ethics and its insistence on punitive measures would be doomed to fail. As already stated the Qur'ān seriously views theft, plunder, underweighing, misappropriation, embezzlement, bribery, and breach of trust; some of which are liable to Qur'ānic punishment (hadd). But along with this approach it also allows man to save his life by eating unlawful things in case he is, for instance, dying of starvation (2:173). Thus a man who has no resources

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18. 6:166.

19. Karl Marx and F. Engels, Communist Manifesto, opening line.

to satisfy his bare requirements is made immune from punitive measures against many offences. And this grace in the case of an economically poor society may neutralize the effects of its social and moral reform. This fact requires an Islamic state to come in and provide the socio-economic conditions which are conducive to abiding by its legal requirements.

The measures which an Islamic state is supposed to take, in order to protect its system, are all-embracing. They take positive as well as negative forms. It was the logical obligation of the respect for Qur'ānic injunctions that an Islamic state had to take upon itself the overall socio-economic development of society. The economic relevance of this development was not only confined to the regulation of consumption; it also embraced distribution, trade and, what in the technical and wider sense is now called monetary and fiscal policies.

In the field of consumption the Qur'ān has already hinted at the motives which compel a man to save. Saving is the result of spending less than the income. And the stronger the motive to save, the less will one be willing to spend. It is here that an Islamic state comes in to play its role. It ensures that the basic necessities of its citizens are satisfied. If the well-to-do of the society discharge their obligations, the state is greatly relieved of its duty. But it does not wait for the well-to-do's response. It sets apart a portion of its revenues exclusively for the poor by way of Zakāt, poor-tax. The



heads of distribution of the revenues of booty and Fay' include this class as a major beneficiary. The expressions in regard to the latter are worthy of note:

It is for Allāh and His Messenger and for the near of the kin and the orphans and the wayfarers, that it become not a commodity between the rich among you ... And it is for the poor Emigrants ... and for those who come after them. (59:7-10)

It must be noted that the words 'Those who come after them' was, by 'Umar I taken to mean the needful posterity and, on this ground, he refused to distribute the agricultural land of the conquered territories among the soldiers.<sup>20</sup> The words 'that it become not a commodity between the rich among you' suggest the spirit underlying this subsistence function of the state. This function of the state through its different incomes covers not only the current subsistence requirements of the needy persons but also acts as an insurance against unforeseen odds. It not only blunts the speculative motive to save but also dissuades man from indulging in economic offences like theft out of compulsion.

As regards negative measures to regulate consumption and savings the government is authorized to ban the use of certain items. A study of the use of alcoholic drinks, and the wagering of stakes in games of chance in developed countries suggests that these two items alone claim a substantial chunk of national income. The Qur'ān is very sensitive to these two practices and uses strong condemnatory

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20. For full discussion see Chapter 8 on Jizya and Kharāj.



language when it describes them as satanic acts. The Qur'ānic remarks on obscene practices and misleading pastimes give the state wide powers of legislation on a number of activities on which money is spent without any real utility of social return.

There are similar other measures which also have a bearing on the speculative motive to save.

### ON INTEREST

Prohibition of interest is perhaps the most important negative reform that the Qur'ān has introduced; the positive one being the levy of Zakāt. This reform was as relevant to the socio-economic conditions of the age and society as it is called for in this twentieth century when some modern economists too are sceptical about the role and utility of interest which are attributed to it.<sup>21</sup> Some of the modern Muslim scholars have expressed their doubts about the proper interpretation of the term ribā, interest, and suggested that the Qur'ānic term applies to some other form of interest than the one practised in banking these days.<sup>22</sup> But the literature on the controversy suggests

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21. For example Lord J.M. Keynes: A Treatise on Money, London, 1971; same author: General Theory on Employment, Interest and Money, London, 1936; Sir Roy Harrod: On Dynamic Economics, London, 1948, article "Is Interest Obsolete?", E.V. Böhm-Bawerk: Capital and Interest, London, 1890. Karl Marx: Das Capital, Moscow, 1969.

22. Iqbal Suhayl: Tahqiq-e-riba, (Urdu) Azamgarh 1933. Ja'far Shah Nadvi: Commercial interest ki fiqhī haysiyat, (Urdu) Lahore. Fazlurrahman: Riba and Profit, ad-Dirasat al-Islamiyya, March, (1965), Eng.tr. Umma March 1965, etc.

that there is no justification for such arguments.<sup>23</sup> The arguments for and against this position are not relevant to this study. What is relevant here is the role that the prohibition of interest plays in influencing the profit motive to save. A man is also tempted to save money if some one offers him interest on his savings. Receiving a fixed sum of money without involving oneself in any risk is a very attractive investment. This is a surer way of multiplying one's savings as compared with investment in business which is not only exposed to losses but also requires labour skill and opportunity. An abominable aspect of this practice is the lender's/investor's insistence on his self-interest neglecting the fruitfulness of his funds to the user. The Qur'ān makes it a point to root out such a lust for wealth. Interest is one of the two offences which are treated by the Qur'ān as a horrible challenge to the whole society. "And if you do not (give up interest) then be warned of war against you by Allāh and His Messenger" (2:279) is the challenge which is given to the devourers of interest. It should not be surprising to learn that prohibition of interest was finally effected during the last year of the Prophet,<sup>24</sup> after all attempts had been expended to introduce

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23. Abu'l Ā'la Mandūdī; Sood, Lahore. Abu Zahra: Buhūth fi'r-Ribā, Beirut, 1970. S.H. Zaman: "Islam vis-a-vis interest rate", Islamic Culture, Jan. (1966). ← Jan 66  
 Muhammad 'Abd-Allāh al-'Arabi: "Banking in Islam" Majjallat al-Azhar, May (1965). Nejatullah Siddiqi: Some Aspects of the Islamic Economy, Lahore, 1970; Some Economic Aspects of Islam, ed. Motamar 'Ālam al-Islāmī, Karachi, 1964.

24. All works on exegesis.

social, moral, and economic reforms. Like all other spheres, only positive measures of financial reform were not depended upon. As regards interest even pious persons might treat it as an apparently harmless economic activity.<sup>25</sup> And as a matter of fact, the havoc that interest could bring in was imperceptible to the simple society of the middle ages. It was with the advent of the industrial era and the development of the modern techniques of analysis that the potential threat of interest was unfolded.<sup>26</sup> An examination of the Verses prohibiting interest suggests that the subject of prohibition are Muslims.<sup>27</sup> Moreover, the words: 'Do not devour interest' (lā tā'kulū 'r-ribā) suggests that receiving but not paying of interest is made the object of prohibition. But a logical analysis of the text of the injunctions and the practical implications warrant for no such conclusion. As regards the suggestion that prohibition is confined to the Muslims alone this can also be ruled out in view of the practical implications of the injunctions in the early Islamic period. This may lead to one more doubt as to its general application on the basis of the argument that during the early period the non-believers also included the Scripturaries

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25. "O ye who believe! Observe your duty to Allāh, and give up what remaineth from riba if ye are believers."  
(2:278)

An earlier Verse reads: O ye who believe! Devour not ribā doubling and quadrupling... (3:130)  
M. Pickthall, 'usury' for interest.

26. fn. 21.

27. Supra.



whose Scriptures did not approve of interest<sup>28</sup> while the non-Scripturaries would have been exempted from this prohibition. Although it is not possible to examine the question for want of material and also because money business was largely conducted by Jews and Christians in Damascus and Baghdad, the challenging words of the Qur'ān are too convincing to accommodate any such idea.

It will be noted that mention of the word ribā is made in three Sūras. Verse 35:29 does not call for abolition of interest; it is suggestive of the comparative excellence of Zakāt over ribā. Verse 3:162 hints at Jewish violation of the prohibition in their religion. Verse 3:130

28. The provisions of interest and many other provisions in favour of debtors are made to apply only to Israelites: "If thou lend money to any of my people that is poor by thee thou shalt not be to him as usurer neither shalt thou lay upon him usury". In the Talmud there is no question of loans at interest so the subject is hardly touched upon. A loan was a debt and, therefore, was annulled by the sabbatical year; like other debts. It could avoid the provisions of the sabbatical year by the use of Prosbul. According to the Talmud: "Interest is like the bite of a snake, one feels only when begins to swell." And: "Gamblers and usurers are not trustworthy witness."

The words of Jesus contain allusions to borrowing and lending but as we should expect of one who refused to be a judge and divider (Luke 14:12) there are no direct precepts to guide the Christian conscience. Nevertheless the early fathers looked upon usury with severe disapproval. They may have been influenced in certain cases by the classical moralists, but the determining standard for them was the O.T. legislation and the general principle of N.T. more specially a standard interpretation of Luke 6:35. Some of them accepted till recently as (still binding on Christians the O.T. precepts (Ex. 22:25; Dt. 23:19; Ps. 15:5; Ezk. 18:8) regarding the prohibition of interest as only a preparation for higher demand of the Gospel to forego even the capital. (E.R.E. & Dictionary of the Bible: Arts. Usury & Interest.)

enjoins Muslims to abstain from compound interest and 2:275-280 aims at complete abolition. The gradual abolition of interest as discernible from these Verses is suggestive of the extent the practice permeated the society, on the one hand, and the Qur'ānic concern to make it a significant point on the other. Such a policy is discernible only in the case of prohibition of alcoholic drinks to which people were badly addicted. Apparently the ban aims at discouraging the profit-motive of saving which was nourished by the practice of interest, and making available funds for satisfying the transaction motive of the saver and of others through interest-free loans or through mutual cooperation in business.

### ON ZAKĀT

Apart from abolishing interest the Qur'ān also prescribes the implementation of a number of taxation measures. These measures greatly support the overall spirit of the Islamic economic and social order. Foremost among them is the levy of Zakāt (poor-tax) followed by government share in booty (khums). Other sources of government revenue which are mentioned in the Qur'ān, include income from seized enemy property (Fay') and poll-tax (Jizya).

The Qur'ānic insistence on paying Zakāt is evident from the frequent repetition of the relevant injunctions.<sup>29</sup> The view that Zakāt was obligatory even in the Meccan period

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29. 2:3,43,83,110,177,277; 4:77; 9:5,11,18,71; 27:37,56; 73:20; 98:5, etc. etc.



is believable in view of the fact that the injunctions on Zakāt are to be found in Meccan Suras too. It is also believable that the obligation to pay Zakāt to the government is a late Medinian development.<sup>30</sup> The rates of Zakāt and exemption limits are not to be found in the Gur'ān. Rather, the details are to be found in circulars which were issued by the Prophet to his collectors and to the tribal chiefs.<sup>31</sup> Verse 2:219: "And they ask thee what they ought to spend. Say: that which is spare" is suggestive of the practice in the early Medinian period when the government was not the sole recipient of Zakāt. In any case the levy of Zakāt was to affect the economy in a variety of ways. Firstly, it discouraged hoarding of wealth and compelled the savers either to invest these idle funds or to spend them. But there has always been an optimum level of spending on ones own self. And in the simple unsophisticated society of the early Islamic period human requirement was limited. As a result consumption soon reached an optimum level leaving the balance as spare, 'al-'afw'. The saving could thus pass on from the savers to the class of consumers who were have-nots. This, in turn, had two inter-related effects. Firstly it diverted circulation of wealth from the rich to the poor; and secondly, it affected the consumption pattern of the society. The economic effects of Zakāt could be multiplied when its administration was centralised. The most important function which it was to

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30. 9:103; 6:141.

31. See Chapters 2 and 7.



perform was something like social insurance and not very late in the early period it did this. The establishment of an institution which provides insurance to the poor, commands disposable funds to support all the needy classes including the undischarged debtors and insolvent businessmen, al-ghārimūn, has a significant bearing on the monetary set up of a state. It converts the money market into a supply market and discourages the supplier from dictating his own terms. It is not surprising that, in the Qur'ān, the condemnation and prohibition of ribā concurs with the practice of sadaqa. The two, thus, seem to be the positive and negative aspects to achieve a common socio-economic objective of an Islamic state.

It is pertinent to observe that the disposal of the Zakāt receipts, like those of Ghanīma and Fay', is specified in the Qur'ān itself. But while the heads of expenditure in the case of the latter two begin with Allāh and His Messenger; giving discretionary powers to government, the expenditure of Zakāt funds has not been left to the government. Instead all the heads of expenditure are specified clearly and cover mostly the poor and the needy:

The Sadaqāt are only for the poor and the needy and those who collect them and those whose hearts are to be reconciled and to free the captives and the debtors and for the cause of Allāh and for the wayfarer; a duty imposed by Allāh... (9:60)

The exegetes have discussed in detail the precise application of these heads but they are generally self evident.<sup>32</sup>

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32. Also infra.

## OTHER SOURCES OF INCOME

### GHANĪMA

The generally known term Ghanīma is mentioned in the Qur'ān with the word anfāl (8:1). Verse 8:41 provides for one fifth of Ghanīma, booty, to be handed over to the government (li'llāhi wa li'r rasūl...) while the recipients of the remaining four fifths are not specified; it has been treated that it is to be distributed among the fighters. The government's portion is to be treated as an item of its general revenues. But unlike Zakāt this source of income is dependent on successful wars which makes it a temporary and undependable item of income. However it cannot be ignored that the injunctions pertaining to the booty were made in a society where there used to be volunteer fighters and not paid armies. These volunteers brought in their own arms and riding animals and depended on their self-acquired skill and training. The situation in the later period completely changed in all respects; but in the case of an army it is generally difficult to withdraw a benefit or privilege particularly when the threat of revolt, civil wars and general turmoil calls for the maintenance of a contented and faithful army.<sup>33</sup> The fact that the Qur'ān does not expressly assign the four fifths to the fighters makes the distribution of Ghanīma discretionary on the government.

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33. See for terminological sense and other discussion, Chapters 6 and 8.



## FAY'

Another source of income to the government is Fay'. The word has been derived from the Qur'ānic Verse revealed in the context of the properties of Banū Naḍīr which fell to the Prophet without active warfare; 'mā afā'allāhu 'alā rasūlihī' (59:6). Thus the receipts accruing to the state by way of Fay' according to the Qur'ānic injunctions are to be spent for Allāh and His Messenger and for the near of the kin and the orphans and the needy and the wayfarer,... and the poor Emigrants (muhājirūn)...and those who come after them (59:6-10). It suggests that the government has wide discretionary power in spending the Fay' income. Moreover the Fay' properties cannot be distributed among the individuals because this will deprive posterity of its benefits. The rationale behind earmarking Fay' properties for public welfare is given in the Qur'ān as that 'it become not a commodity between the rich among you' (59:7). This is also suggestive of the simple fact that the common-man's welfare does not depend on the increase in items of ownership but also on the increase in utilities accruing to him without owning many of them. Moreover there can be properties whose utility can be retained and protected only under government administration. The fact that this source of income also depends on successful war operations exposes it to the doubts expressed about booty.<sup>34</sup>

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34. Supra.



## JIZYA

Another source of income hinted in the Qur'ān is Jizya or poll-tax. While Zakāt is leviable on the wealth of the Muslims, Jizya is imposed on the Scriptuaries,<sup>35</sup> ahl al-Kitāb (9:29). The method of assessment and the heads of expenditure of poll-tax are not specified in the Qur'ān which allows for the discretion of the government in including it in its general budget. The Qur'ān only says:

Fight against such of those who have been given the Scripture as believe not in Allāh nor the Last Day, and forbid not that which Allāh hath forbidden by His Messenger, and follow not the religion of truth, until they pay the tribute readily, being brought low. (9:29)

In the Verse the words 'being brought low (wa hum sāghirūn) are self-evident and in a sense reflect the spirit of Jizya. There is no difference of opinion among exegetes that the word sāghirūn means humility or state of submission.<sup>36</sup> Similarly, paying of Jizya 'readily', ('an yadin) implies the payment to be made submissively or personally without the intermediation of an agent.<sup>37</sup> But how far this theoretical interpretation was adapted in practice will be studied in the relevant chapters.<sup>38</sup>

35. See also Chapter 8.

36. Bayḍawī, 1, 383; Tabarī, Tafsīr, 14, 200; Jaṣṣās, 3, 125.

37. Ibid., for all sources; also Qurṭubī, 8, 115.

38. See Chapter 8.

## ON DISTRIBUTION

The discussion of the different heads of income leads to the question of Qur'ānic approach to the problem of distribution. In this context, distribution should not be confused with the modern sense of the term in which the factors of production are assigned their respective shares in the national income. The discussion on this subject will be confined to the distribution of wealth among different classes of society.

The Qur'ān sets aside the idea of equal distribution of wealth. It recognises physical, intellectual and social inequalities and treats the idea of equality as illogical.<sup>39</sup> It seems to ensure, however, that inequality should not disturb the balance of justice. To check concentration of wealth, it bans gambling and interest.<sup>40</sup> To ensure justice in distribution it condemns unjust and criminal practices<sup>41</sup> and also sets apart, by compulsory levies, a portion of incomes for the poor and the hard-pressed. Before dealing with the Qur'ānic policies of distribution, it should be recalled here that the Qur'ān recognizes private ownership of economic resources. It is also to be observed that there is nothing in the Qur'ān to suggest man's ownership

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39. 4:32; 6:166; 17:30; 42:12; 43:32.

40. Supra.

41. Supra.



of land.<sup>42</sup> The requirement to pay tithe (Sadaqa) on the harvest day suggests man's right to use land in a restricted sense of the possession. It is suggested that the rights which a man is given over land, are aimed at giving him stimulus to work hard, which operates only when he is sure of enjoying the full fruits of his labour for himself and for his family.

That the Qur'ān has not dealt with the question of the ownership of land suggests its inclination to leave the matter to the government. As regards other wealth it provides:

Unto men a fortune from that which they have earned  
and unto women a fortune from that which they have  
earned. (4:32)

Having thus acquired ownership man is severely admonished against being niggardly in spending on himself and on the needy. He is exhorted in all possible ways of persuasion to share this earning with his poorer fellow-members of society. The words sadaqa and infāq not infrequently appear

42. The possessive prepositions 'his', 'their', 'your', etc. have been used for properties (māl) capital sum, money, goods, dwellings, belongings, merchandise, etc., but nowhere for land, mines, forest, hills and streams. Livestock also are treated as natural as land but this is the wealth for which ownership of man is expressly recognised in the words 'and they are their owners hum laḥā mālikūn (36:71). The injunction to pay the tithe on the harvest day is suggestive of man's possession of the crop but not land. Moreover the Islamic law provides for confiscation of land in case the owner fails to cultivate it within a certain period. No such restriction has been placed on other wealth. But this also cannot be ignored that there is nothing in the Qur'ān to stop the age-old custom of the ownership of land.



in the Qur'ān and these acts have been made the criterion of perfection in faith. There appear to be more than a dozen categories of persons who are made to share this wealth directly or through charitable projects and trusts.<sup>43</sup> In addition to these voluntary motives the Qur'ān also imposes some personal compensatory payments to effect this distribution.<sup>44</sup> In spite of all these measures there may be misers who evade this voluntary sacrifice. This is offset by enforcement of its law of inheritance and levy of Zakāt. The Islamic law of inheritance does not cover only the rich or the misers:

Unto the men belongeth a share of that which parents and near kindred leave and unto the women a share of that which parents and near kindred leave, whether it be little or much - a legal share. (4:7)

It comes into effect immediately after the death of a person. To supplement it the Ḥadīth nullifies the effect of all wills which are made to evade this distribution if they cover more than one third of the bequest. Another blow to the hoarded wealth is given by the levy of Zakāt which takes away two and a half percent of hoarded wealth and five to ten percent of

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43. The poor, the needy, the functionaries of charitable funds, the slaves, the debtors, the fighters of holy war, the stranded travellers, the parents, the other near relations, the orphans, the neighbours, the poor colleagues, and the beggar. The first seven are the items common with the beneficiaries of Zakāt (9:60). For the next five see 4:36 &c.; for the last, see 2:177 etc.

44. For example kuffāra or expiation is prescribed in case there occurs a particular flaw in observance of fast (2:184) or in performing a Hajj (2:196). There is also a compensatory payment in the case of flouting an oath or using some sort of metaphorical language for divorce (5:89; 58:3). The expiations in all these cases differ in the extent. They call for feeding and clothing a poor man in some cases while providing for sixty poor men in others.

other produce every year and redistributes it among the poor claimants of society. The Qur'ān lays down eight classes of beneficiaries of Zakāt as mentioned in the above pages.

While the law of inheritance distributes a person's wealth among the few nearer relations, Zakāt covers a much wider circle in which case it is administered by the government. According to exegetic interpretations, it covers two and a half per cent of wealth, five to ten per cent of agricultural produce, and twenty per cent of treasure troves. All the collections are pooled in the Bayt-al-Māl (public exchequer) and used on the items as provided in the Qur'ān. Exegetes have discussed at great length the application of these items to the different classes of society. While the word 'the poor' (fugarā') literally means anybody who earns less than his requirements,<sup>45</sup> the word 'needy' (miskīn) is interpreted to mean a disabled or unemployed person.<sup>46</sup> Similarly 'for the cause of God' fi sabīl-Allāh, is taken to imply holy war and stranded wayfarers on their journey for Hajj.<sup>47</sup> The words debtor and the wayfarers, ghārimīn, ibn as-sabīl, suggest a temporary situation of difficulty.

It will be found from the items of Zakāt-expenditure that Zakāt not only blunts man's speculative motive to save by providing social insurance, but also stops the wealthy

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45. see Lisān al-'Arab.

46. Supra.

47. Supra.



persons, exploitation of the needy, the debtor, and other persons who accept the employer's or the lender's terms out of compulsion. Practically it is a substantial amount which a government can disburse every year to eradicate poverty and want from society.

It will be seen that Zakāt is paid only by the Muslims. But there is nothing to suggest in the Qur'ān that the beneficiaries should also be Muslims. Similarly the heads of income derivable from the Qur'ān do not suggest a ban on the levy of other taxes. According to some exegetes Verses like 1:152-153 accommodate for the levies over and above Zakāt. But here again the basic principle of justice and equity would give the guideline to the budgeteers. It not only enjoins justice on them but with its moral instructions, also advises the subject not to evade the payment of taxes. The following Verses guide them:

Let him who have abundance, spend of his abundance, and he whose provision is measured, let him spend of that which Allāh hath given him. Allāh asketh not of any soul save that which He hath given.  
(65:7)

Who hoard their wealth and enjoin avarice on others, and hide that which Allāh hath bestowed upon them of His bounty. For disbelievers We have prepared a shameful doom.  
(4:37).



## CHAPTER 2

ECONOMIC TEACHINGS OF THE ḤADĪTH  
(An outline)

After the Qur'ān, Sunna, as reflected in Ḥadīth, is treated to be the most important source of Islamic law and the ideal for human guidance. The compilations on the works on Ḥadīth are sizable in number and stretch over a period of several hundred years. This study will generally be confined to the most important earliest compilations on the subject, known as Ṣiḥāḥ Sitta or the Six Correct ones.<sup>1</sup> The adjective 'Correct' does not necessarily discard the general authenticity of other compilations nor does it mean that none of the Ḥadīth (traditions) reported in these 'Six Correct' is challengeable. However, the traditions that have been criticised by the compilers themselves have been neglected in this chapter. The remaining have been taken up because they claim a norm in retrospective effect.

The Sunna of the Prophet in context of this study can be divided into two parts. Firstly the principles which the Prophet is reported to have laid down as general rules, and secondly, his own practices as a ruler, policy-maker and administrator. The first part of the Sunna will be discussed in this chapter while the second part will be spread over the following chapters according to the subject matter under discussion.

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1. They include Bukhārī, Muslim, Abū-Dā'ūd, Tirmidhī, Ibn Māja and Nasa'ī.

The principles as reported to have been laid down in Sunna are not abstract theories; they are meant for ordinary human society, easily understandable and practicable by them. The Ḥadīth literature mostly defines, reasserts, or elaborates the basic principles as laid down in the Qur'ān.<sup>2</sup> The language of Ḥadīth on economic principles is only as technical as could be understood by the Arab society of the Prophet's time.


The Sunna, like the Qur'ān, lays great emphasis on moral discipline of the individual. There are innumerable Ḥadīths to reform that instinct of man which directs his economic behaviour. Avarice, greed, selfishness and exploitation are not pronounced as economically harmful; they are declared as sinful. Great emphasis is laid on maintaining a balance between the conflicting interests of individuals and the different sections of the society. For example, pious spending (infāq) has been emphasised to root out greed and selfishness. It is difficult to judge as to which of the two basic sources lay greater emphasis on pious spending. While the Ḥadīth reaches the humanly possible extreme of spending there are also categorical Ḥadīths to control and regulate the unreal overemphasis on the point. They suggest as to how, among whom, and how much should preferably be spent. "It is better to leave your heirs well-to-do than leaving them destitute and lead them to beg for charity. Whatever you spend over your family is rewarded."<sup>3</sup> The best dīnār is the one that is spent on one's

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2. See Chapter 1.

3. Mus., 11, 77.

dependents, on the riding animal which is used in God's path and among the fellow beings (engaged) in God's path."<sup>4</sup> "One who works in order to (earn and) support a widow and destitute is like a mujāhid (warrior) in the path of God."<sup>5</sup> Muslims are encouraged to discharge this obligation expecting its reward in the Hereafter only. This behaviour is so highly appreciated and encouraged that a Ḥadīth says: "Even the cashier of the philanthropist will be rewarded."<sup>6</sup>

In spite of the great emphasis on spending the matter has not been made only a one-way traffic. The less fortunate members of the society are, on the contrary, advised to avoid begging for charity.<sup>7</sup> A Ḥadīth says: "This wealth is fresh and sweet. Whosoever takes from it according to his entitlement will meet with blessing. Many of the non-deserving receivers will get Fire on  Doomsday."<sup>8</sup> It is further said "The upper hand (giver) is better than the lower hand (receiver)".<sup>9</sup> The overall study of all such Ḥadīths suggests that they do not recognise poverty alone as the justification for begging; it is perhaps the urgency of pressure that has been treated as the proper ground for seeking help from others. A Ḥadīth says: "Begging is allowable only to one of three classes: a man who has become a guarantor for a payment, to whom begging is allowed

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4. Tir., 8, 144 (parenthesis ours).

5. Tir., 8, 146.

6. Mus., 7, 111.

7. Mus., 7, 126.

8. Tir., 9, 222.

9. Mus., 7, 124-25.



till he gets it, after which he must stop begging; a man whose property has been destroyed by a calamity which has smitten him, to whom begging is allowed till he gets what will support his life; and a man who has been smitten by poverty, the genuineness of which is confirmed by three intelligent members of his people to whom begging is allowed till he gets what will support his life. And any other reason for begging is forbidden and one who engages in such, consumes it as a thing which is forbidden."<sup>10</sup>

In the above sayings the rich man's greed to save and accumulate the maximum and the poor man's desire to ask for support when he can avoid it have been equally discouraged. Anyhow the genuine necessities of both the classes have not been ignored. A cultivator may face a calamity, a businessman may incur losses and become liable to heavy debts, and a poor man may be out of a job or under-employed. In all these deserving cases the necessity for asking for support is recognised.

This moral basis underlies the distribution of wealth among the needy classes of the society and also strikes at a balance that has been provided in order to regulate distribution. This basis has not been neglected in other spheres of economic activity. The act of farming has been associated with sadaqa (charity). An honest trader has been ranked among the martyrs (shahīd) in the Hereafter. Earning of livelihood has been treated as Jihād (holy war).

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10. Mus., 7, 133.

Contrarily, those who indulge in undesirable economic activities are dubbed with bad names and threatened with condign punishment in the Hereafter.<sup>11</sup>

### ON AGRICULTURE

The Prophet belonged to a city where trade was the mainstay of economy. Like most of the Meccans, he himself took part in trade before his Prophethood. Most of his Meccan followers who joined him in Medina were traders. On the other hand, Medina, where the Prophet founded a city state, was an agricultural city. The Medinians owned lands and engaged themselves in farming and gardening. This business not only required harder work and more devotion than trade and always stood exposed to natural calamities but also impeded the learning of religion and participation in Jihād. It was quite possible that observing the quick turnover in trade and the other benefits that go with it many of the devout land owners could be discouraged from sticking to their lands. Agriculture has always been the backbone of a viable economic unit and the freshly born state would have been seriously hampered in its mission had there been any withdrawals from farming. The Prophet is known to have not only encouraged this profession but also provided new impetus for bringing new lands under cultivation.<sup>12</sup>

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11. Infra.

12. The curious fact is that although there are no indication in the Qur'ān justifying or disapproving the private ownership of land, there is not a single Ḥadīth to suggest that the Prophet disapproved private ownership of land any time during his ten-year rule in Medina.



Like all the other activities of life he brought this also under the domain of virtuous acts. A Ḥadīth says: "The seed which a Muslim grows and is eaten up is a pious spending (sadaqa), that which is stolen from it is a pious spending, that which is eaten up by beasts or birds is a pious spending."<sup>13</sup> The Prophet is reported to have confirmed the old practice of recognising the occupation of land by anyone who reclaims it. A Ḥadīth says: "Of course land is God's land, slaves are God's slaves ('ibād), so whoever reclaims a dead-land is entitled to it."<sup>14</sup> Another Ḥadīth confirms the same thing in a different way: "Whoever reclaims a dead land possesses it while the labour of a wrongful occupier has no right."<sup>15</sup>

While these sayings encourage farming and gardening and open up prospects of bringing new lands under cultivation, unlimited right of occupying large areas of land and making it a source of exploitation is not allowed. It is stated that the Prophet once looked at a heap of agricultural implements and observed: "A house which has (the abundance of) these implements brings in humility."<sup>16</sup> Apparently the saying seems to discourage large holdings. But the words of the Ḥadīth do not point out at any economic reason for

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13. Mus., 10, 213-14.

14. Bukh., (Muzara'a). Cf. Qaṣṭalānī, Shihāb ad-Dīn: Irshād as-Sārī, Cairo, 1905-9, Vol. 4, p.184.

15. Tir., 6, 147. This obviously means that if a person begins to till another person's land he will have no right to it even if he has reclaimed it. This is further confirmed by another Ḥadīth transmitted by Tir., 6, 148.

16. Bukh., (Muzara'a), 2.



this discouragement. Any argument relating to labour-owner relationship does not seem to be very relevant because in those days such labour was generally done by slaves. But large scale employment of slave labour in a nascent ideological state could itself raise many a social problem particularly when the Prophet had a discouraging view on the old institution of serfdom. It is also possible that the Prophet did not like a situation which could develop into feudalism or absentee-landlordism and thus bring in all those economic evils which were associated with them. Whatever the specific reason, it is, however, clear that he did not like the idea of large holdings.

The benefits of the ownership of land have been subjected to restrictions so that the interest of the farmer is also safeguarded. A harmful condition that the owner imposed on the tiller was the taking of a fixed quantity of the produce whether or not the latter got a sufficient return for his labour and capital. In this way a parasite class grew up at the expense of the interest of the real producer. It is perhaps in this context that the Prophet is stated to have advised: "It is better for you to give your land to your brother rather than charging from him a fixed produce for it."<sup>17</sup> Another practice which often damages the interest of the farmer and which was at that time prevalent in Medina was giving of land for a percentage of the produce plus a fixed quantity grown in particular areas. This again made the return of land sure for the owner but uncertain for the farmer. It sometimes happened

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17. Mus., 10, 207.

that a large part of the crop was destroyed and after allowing for the fixed portions which were chargeable by the owner the farmer would hardly get a just share. This practice was also disapproved by the Prophet.<sup>18</sup> The just alternatives which are derivable from the Ḥadīths are giving of land to somebody without any charge or else giving it out to him at a fixed rent in terms of money but not produce.<sup>19</sup>

In order that land-tenancy may establish on just and fair lines, free from all the elements of exploitation, positive principles have been approved. Chapters on Muzāra'a and Musāqāt in books of Ḥadīth discuss the rules of owner-farmer relationship under different conditions.

#### ON TRADE



Contrary to agriculture, trade involves a multiplicity of techniques and transactions and is exposed to many more

18. Mus., 10, 196.

19. The Ḥadīth narrated by Rāfi' has greatly confused the issue. He was of the view that the Prophet had disapproved giving of lands in consideration of any sort of payment. But taken on the whole it seems that the Prophet did not mean to altogether abolish this practice. That is why the other two senior Companions like Ibn 'Umar and Zayd b. Thābit differed with Rāfi'. Ibn 'Umar's argument was its wide prevalence during the Prophet's and pious Caliph's time, without any censure and Zayd's argument was the context of the Ḥadīth which, according to him, Rāfi' could not pick up. (Abu Daud 3, 350-55). Zayd narrated that two persons who had a quarrel called on the Prophet for judgement, who, knowing about their dispute, observed: "If this is your condition then do not let out your land." Rāfi' heard only the last portion of (the Prophet's) speech (but missed the earlier)' (Nas., 7, 50).



unjust practices than are practised in cultivation. The Qur'ān lays down a few basic principles<sup>20</sup> which govern general economic behaviour and trade. But the Ḥadīth literature pointedly refers to a number of practices which mark below the standard of justice and fair dealing.

The number of Ḥadīths on the excellences of and teachings on trade in the most comprehensive collection 'Kanz al 'Ummāl' runs into four figures but the Ṣiḥāḥ Sitta have reported only a few of them. The Prophet himself took part in trade yet we do not find any tradition which justifies its superiority to other lawful trades. The Ḥadīth literature as usual does not leave it free from its moral basis: "an honest and righteous Muslim trader will fall in with the martyrs on  Domsday";<sup>21</sup> "God shows mercy to a man who is kindly when he sells, when he buys, and when he makes a claim";<sup>22</sup> "God will neither look at nor talk to a false swearer on  Domsday";<sup>23</sup> are some such moral traditions as inculcate in the people the spirit of trading.

While the Qur'ān prohibits from eating one another's wealth by unlawful means (bāṭil) the Ḥadīths point out as to what practically these unlawful means are. They regulate trade practices in such a way that the legitimate interest of both the distributor and consumer are protected. If any of the practices involve uncertainty or loss to either party

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20. Chapter 1.

22. Maj., 2, 742.

21. Maj., 2, 724.

23. Nas., 5, 81.



in trade it is treated as unjust. Similarly the trade techniques which benefit a few persons at the expense of the general benefit or which lead to exploitation of either party are forbidden. Thus the Ḥadīths put a ban on about twenty forms of trade transactions and techniques which were prevalent in the Prophet's time but which involved any of the forbidden elements. All the transactions where the commodity is unknown are declared as null and void. The Ḥadīth terms them as gharrar.<sup>24</sup> The examples are the sale of fish in water which is not yet caught or of a bird in the air or of a foetus in womb (ḥabl al-ḥabla).<sup>25</sup> The sale of milk in the udder is also termed as gharrar and forbidden. Similarly it is not lawful to sell dates growing upon a tree in exchange for dates which have been picked and which are computed from conjecture to be equal in point of measurement to those that are upon the tree. This kind of sale is termed as muzābana and forbidden in a Ḥadīth,<sup>26</sup> as well as the sale termed as muḥāqala,<sup>27</sup> which is the sale of wheat in the ear in exchange for a quantity of wheat conjectured to be equal thereto. The principle is the same with respect to the sale of grapes on the vine in exchange for raisins. Bargains determined by the purchaser by the touching of the goods (mulāmasa)<sup>28</sup> or by the throwing of the goods (munābadha)<sup>29</sup> or by the casting of a stone (ḥusāt)<sup>30</sup>

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24. Mus., 10, 156-157.

25. Ibid., Bukh. (Buyū'), 92.

26. Bukh. (Buyū'), 128; Tīr., 6, 52-53; Mus., 10, 183, 188.

27. Ibid., also Bukh. (Musāqāt)

28. Bukh. (Buyū'), 94; Mus., 10, 154.

29. Ibid.

30. Mus., 10, 156-57.

perhaps at a goat in a herd for sale, have been held as unlawful.

Besides the above unlawful sales there are other forms of sale too which the Prophet did not like. He has prohibited enhancing of the price of a merchandise by a fictitious tender of a high price (najsh).<sup>31</sup> This is done even to this day in the fairs and auctions by appointed agents with a view to prompting others to offer a higher price without any intention on the part of the agent to purchase the commodity. The Prophet has also prohibited an anticipation of the market. The practice was that people used to meet the trade caravan, at a distance from the city, with a view to purchasing the grain brought by the merchants, and then to sell it to the people of the city at an enhanced price.<sup>32</sup>

Of all the above sales 'bay' salam' had been the most prevalent form in Medina. This implied a contract of sale causing an immediate payment of the price and admitting a delay in the delivery of the wares. As a rule the Prophet is reported to have forbidden the sale of what is not in one's possession. Bay' salam is an exception to the above rule. It is declared as valid subject to the condition that the quality and the nature of the article of sale, and the time and place of delivery and the price are clearly defined at the time of making the contract of such sale.<sup>33</sup>

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31. Bukh. (Buyū'), 89; Tir., 6, 38.

32. Mus., 10, 160.

33. Bukh. (Salam), 3.



Another exemption was made in the case of Muzābana contract under which the prohibition was relaxed up to five wasqs<sup>34</sup> quantity of dates. The object of providing for this exemption was giving a support to the poor families.<sup>35</sup>

While many of the early trade practices involving unjust transactions have been forbidden, there are Hadīths to direct a free operation of the market, unhampered by artificial factors. For example one of the important elements of modern business is advertisement and publicity. It is a useful medium for introducing a product to prospective customers. And yet it has some defects too. Publicity can be intra-mural or extra-mural. Display of goods in an attractive way within the shop or sales centre is known as intra-mural publicity while advertisement and propaganda outside this centre is extra-mural publicity. While the early people used very crude methods for both ways of introducing their goods or prices, the modern techniques achieve this object through handbills, hoardings, neon-signs, films, and newspaper advertisements etc. Effective and exaggerated publicity of a produce not only frequently enamours the customer but many a time misleads him. Constant publicity is, to a large extent, responsible for creating an artificial demand for a produce which actually is not required by the consumer. In view of the real

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34. For weights and measures, see Appendix II.

35. Mus., 10, 182-89.





advantages that publicity brings in, it was inexpedient to forbid it. The Prophet is reported to have put some moral restrictions on this technique of promoting sale. It is stated that once he examined a heap of corn for sale and found that the quality inside the heap was not as good as it was shown. This technique was aimed at misleading the buyers. The Prophet censured the vendor and exclaimed: "Whosoever misleads is not from us."<sup>36</sup> Some other similar Hadīths put moral check on the misuse of publicity. "Taking of frequent oaths for canvassing the customer pays much in the beginning but, ultimately causes a diminution in livelihood."<sup>37</sup> "Do not misguide others by fictitious tender of high prices or by praises of the commodity."<sup>38</sup> "O community of merchants, unprofitable speech and swearing have a place in business dealing, so mix it with sadaqa."<sup>39</sup> "The merchants will be raised on the day of resurrection as evil-doers, except those who fear God, are honest, and speak the truth."<sup>40</sup>

Another factor that disturbs the free operation of the market is the role of middlemen or the intermediaries. The Hadīths tend to cut short their role as far as possible. They are not only discouraged as between the village supplier and the city wholesaler, and between retailer and consumer but also within the market itself. The role of the well-known broker with his under-cover practices, and of the

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36. Tir., 6, 55.

37. Mus., 11, 43.

38. Tir., 6, 38.

39. Maj., 2, 726.

40. Ibid.

bulls and bears who make money without really participating in practical business, who interrupt a free market and disturb the reaching of a natural equilibrium between the forces of current demand and current supply by merely speculative transactions, was brought to an end. The Ḥadīth linked the legal sale of a commodity with the condition of de facto transfer of possession. It says: "Do not sell food grains before taking them into possession, it is tantamount to selling dirhams for dirhams" (money for money).<sup>41</sup> According to another Ḥadīth the Prophet has disallowed the sale of a villager's merchandise by an urban seller. Ibn 'Abbās was asked as to what this sale (bay' ḥadīr li ba'd) meant to which he answered that it meant becoming a villager's broker (simsār).<sup>42</sup> In some other narrations the last version of the Ḥadīth is "leave them to themselves; God feeds them through each other," and "A city dweller should not sell for a villager, even though he be his father or son."<sup>43</sup>

Another factor that disturbs the free interplay of the forces of demand and supply is hoarding. The supplier holds back the stock of a commodity in demand in order to create artificial scarcity and effect a rise in prices. When the price thus rises, the hoarder brings out his stock

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41. Bukh. (Buyū'), . According to another Ḥadīth (Mus., 10, 168-69) Ibn 'Abbās is reported to have observed that they did not confine this Ḥadīth to food-grain only.

42. Maj., 2, 734-35.

43. Maj., 2, 734; Mus., 10, 165.



to sell them at a higher price. The Prophet discouraged it by exclaiming "Whosoever hoards is a sinner."<sup>44</sup> The Ḥadīth "Do not sell food grains before taking them into possession,"<sup>45</sup> also discourages speculation and forward-trading which ultimately distort the very concept of total supply and effective demand.

The restrictions on advertisement and publicity, on the role of intermediaries, on hoarding and on speculation, and forward trading make possible the freer operation of the market. Over and above these general principles on trade there are also Ḥadīths to regulate the practices of mortgage, partnership, option (khayār), advance trading (salam), surety, bail, insolvency, loans and credit and option to buy neighbouring properties (shif'a).<sup>46</sup>

### ON ZAKĀT

Like ṣalāt, Zakāt (alms tax) is also binding on the Muslims. The Qur'ān ordains the payment of Zakāt and the different heads on which it is to be spent.<sup>47</sup> But the extent and the scope of Zakāt, the items which are subject to Zakāt, the exemption limits and the rates of levy on different items are all governed by Ḥadīth. These details are mostly to be found in the circulars which the Prophet is reported to have sent to different tribes or handed

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44. Mus., 11, 33; Maj., 7, 728.

45. Supra.

46. See relevant chapters in Ḥadīth literature.

47. Chapter 1.



over to his officials. A very common word which was used for Zakāt as also for voluntary spending (infāq) was sadaqa which was prescribed even during the Meccan period. At that time sadaqa was a voluntary payment and called for no central authority to administer it. There were no prescribed rates or rules to govern it. In the second year of Hijra (migration to Medina) sadaqa marking the end of the month of fasting (Ramaḍān) was made compulsory and was termed as sadaqa al-fitr.<sup>48</sup> Sadaqa by way of Zakāt as a compulsory contribution to be administered by a central authority was levied late in the Prophet's life. It was leviable on <sup>cash</sup> (cash) savings, articles of trade, livestock and land produce. The relevant details are to be found in all the important books on Hadīth and on history. A consolidated list of the different items with necessary details are given as follows:-

Items chargeable at 2½%

	Exemption limit	Other conditions
Gold } <sup>49</sup>	Subject to a minimum of the value of 200 dirhams or 5 <u>ūqiya</u> of silver or 20 dinars <sup>53</sup>	payable after the lapse of one full year of holding the value <sup>54</sup> (not clear about minerals)
Silver }		
Cash <sup>50</sup>		
Articles of trade <sup>51</sup>		
Minerals <sup>52</sup>		

48. Mus., 7, 57-58. It is a per-head flat rate payable by the guardian of the household.

49. Nas., 5, 23, 37.

50. Abu Daud, 2, 129-30.

51. Abu Daud, 2, 128.

52. A.U. para 863. Hereinafter the marking after A.U. indicates paragraph number.

53. Bukh. (Zakāt), 85; Nas., 5, 23; Abu Daud, 2, 129-30.

54. Tir., 3, 125; Abu Daud, 2, 129-30.

Items chargeable at 5% to 10%<sup>+</sup>

	Exemption limit	Other conditions
Dates wheat, barley corn, grains grapes, raisins	} 55	subject to a minimum of 5 wasqs of <sup>56</sup> the produce <sup>56</sup>
olive		
honey*	-	payable at the time of harvesting <sup>57</sup>  as above  on collection

<sup>+</sup>10% in case the crop does not need artificial irrigation; otherwise 5%

\*Hadīths for and against the exemption are of equal weight. The benefit of doubt will, however, go to the government (Maj., 1, 584; Kh., 31-32). The Hadīths for levy are criticised by Tir., 3, 123.

## Items chargeable at 20%

	Exemption limit	Other conditions
Treasure troves buried wealth any other unclaimed wealth found in a deserted place. <sup>58</sup>	NIL	payable on acquiring the same

55. Yah., 382, 509-11, 514-15, 532-34, 535. Here and hereinafter the marking after Yah., indicates paragraph number.

56. Kh., 31; Mus., 7, 50-53; Nas., 5, 39-40.

57. Qur'ān, 6:141.

58. Nas., 5, 44; Abu Daud, 3, 244; A.U., 856-57.

## Doubtful Items

	Exemption limit	Other conditions
Perishable fruits Vegetables <sup>59</sup>	Exemption limit not given	If leviable, then on harvesting or collection at 5% to 10%
Cotton <sup>*60</sup>		not clear

\* Whether or not there is Zakāt on cotton is uncertain because there are Hadīths to suggest both ways. Even if it is established that Zakāt is leviable on it there is a confusion in respect of its rate. It is reported that the Prophet agreed to receive 70 mantles (Hullā) in lieu of Zakāt on cotton (Abu Daud, 3, 223-24). That there is no Zakāt on cotton is transmitted by Bal., 85 but the source is 'Ikramā and not the Prophet.

## Zakāt on cattle etc.

	minimum limit	Rate
Sheep/goat <sup>61</sup>	40	1
Cow/ox <sup>62</sup>	30	1 year old calf
	40	2 year old calf
Camel <sup>63</sup>	5	1 sheep

59. Kh., 31-32. Although the Isnād of the Hadīth is criticised (Tir., 3, 132) yet there is nothing to suggest that it was imposed by the Prophet or Pious Caliphs.

60. Bal., 85; Abu Daud, 3, 323-24.

61. Bukh. (Zakāt), 57.

62. Nas., 5, 26.

63. Bukh. (Zakāt), 85.



It will be seen from the above table that all goods and wealth are not taxable. In most of the cases Zakāt is leviable only above a minimum level. Cattle which are not used for breeding or trade, but are meant for ploughing, drawing, and transport are also exempt.<sup>64</sup> A Hadīth says "there is no Zakāt on your slaves and horses."<sup>65</sup> Similarly goods meant for personal consumption are exempt.<sup>66</sup> The Hadīth on exemption from Zakāt on horses has been re-interpreted by the Prophet's Companions. For example Abū-Hanīfa adduces his argument on the basis of a Hadīth narrated by Zubayr<sup>67</sup> which says: For every sawā'im horse, one dinar or ten dirhams and there is nothing on horses stationed in forts."<sup>68</sup> It qualifies the former Hadīth relative to the use of horse. 'Umar's practice of levying Zakāt practically confirms what Zubayr has narrated. It is stated that in the time of Marwān a council of Companions was held to discuss the matter and in it Abū-Hurayra said: "There is no Ṣadaqa on a man for his horses and slaves." Marwān then said to Zayd ibn Thābit: "What do you say oh father of Sa'īd?" and Abū-Hurayra wondered at Marwān and said: "I am relating a Hadīth of the Prophet and he says: What do you say O father of Sa'īd? Zayd thereupon observed that Abū-Hurayra was telling the truth but the Prophet only meant the horses of the warriors and

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64. A.U., 1006.

65. Mus., 7, 55; Tir., 3, 101-102; Nas., 5, 35-36.

66. Tir., 3, 125.

67. This Hadīth is not transmitted by any of the Ṣiḥāḥ works.

68. Ag., 257.

that horses kept for their offspring were subject to Zakāt...."<sup>69</sup>

While there exist some ambiguities on the issue of levy of Zakāt on the items which were not generally grown in Arabia (viz. honey, cotton) the Ḥadīths on widely grown items are very clear. The most popular of such items was camel, the Ḥadīths on which have been transmitted by the books of Ṣiḥāḥ Sitta (except Muslim) in greater details. And because the Zakāt on camel involves more or less eleven limits some of the narrators are confused in case of reporting ; some intermediate figures. The following table will give an idea of the differences in the narration of limits (see p.60).

It will be observed that, in view of the multiplicity of figures the differences in the narrations are much less than what could be expected. In respect of levy, however, the difference becomes all the more immaterial. One sheep on every five camels is payable up to twenty, whereafter the limits are adjusted to levy a camel for the herd: one year old she-camel on a herd of twenty-five; two year old on thirty-six, three year old on forty-six and so on; the intervening numbers being always exempt.

The heads of distribution of Zakāt have been laid down in the Qur'ān. The Ḥadīth seems to have further elaborated some vague points of interpretation from the point of view of the recipient. It is said that there are five well-to-do persons who are allowed to take from Zakāt

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69. Ag., 258.

TABLE 1

## Limits of Zakāt on Camels.

Narrator	Source									
Anas b. Mālik	5	10	15	20	25	36	46	61	76	91 121
"	5	10	15	20	25	36	46	61	76	91 121
"	5	10				36	46	61	76	91 121
Sālim b. 'Abd-Allāh	5	10	15	20	25	36	46	61	76	91 121
b. 'Umar	5	10	15	20	25	36	46	61	76	91 121
"	5	10	15	20	25	36	46	61	76	91 121
"	5	10	15	20	25	36	46		76	91
Abū-Sa'īd al-Khudarī	5	10	15	20	25	36	46		76	91
An old document	5	10	15	20	25	36	46	61	76	91 121
'Amr b. Ḥazm	5	10	15	20	25	36	46	61	76	91 130 * A.U., para 933.

\* The limit continues up to 300 with an addition of 10 camels in each lower limit, for example, 130 - 40 - 50 and so on. The rate, however, corresponds to a 2 year old she-camel for every 40 camels and 3 year old for every fifty.



funds; i.e., men on war service (ghāzī), the collector of Zakāt, the debtor, one who buys it from a recipient of Zakāt and one to whom it has been gifted by the recipient of Zakāt goods.<sup>70</sup> The first three have also been mentioned in the Qur'ān but the relevance of the Ḥadīth is in its recognition of the entitlement of the three classes in spite of their opulence. The last two are aimed at removing any misunderstanding about the use of Zakāt goods by a genuine beneficiary. In many of such Ḥadīths the word used for the heads of distribution and for elaborating the entitlement to support is Ṣadaqa which sometimes signifies compulsory Zakāt and sometimes voluntary charity. It is difficult to find which one of the two is aimed at.

#### ON INTEREST

Ḥadīths on pious spending and Zakāt apparently seem to emphasize distribution which may theoretically lead to doubts about Islam's role in capital formation. The amount which is distributed among the poor is spent on bare necessities. The poor will not buy capital goods or invest in trade if they get money. On the other hand if surplus funds are placed at the disposal of the entrepreneur he will invest it for further production. This may accelerate the process of economic growth. But this requires an attitude which limits the scope of sadaqa to a reasonable

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70. Abu Daud, 2, 160.

extent and which recognises the significance of capital and the necessity of its investment in productive activities. A Ḥadīth advises the Muslims to protect their wealth from wastage.<sup>71</sup> Another Ḥadīth suggests: "Only as much sadaqa is good as does not reduce your resourcefulness."<sup>72</sup> Another Ḥadīth advises the Muslims not to distribute more than one third part of their wealth by way of will. "It is better to leave your kinsmen well-to-do than leave them paupers to beg for charity."<sup>73</sup> The significance of the above can also be evidenced from the Ḥadīth which says: "If anyone of you is a guardian of an orphan he must trade with his properties and not leave it till Zakāt consumes it." <sup>73a</sup>

When a resourceful man is willing to invest his savings in profitable channels he may do so in either of the two ways: (i) he may himself invest them in business, or (ii) invest them indirectly through any other person who is experienced in trade. The latter way can take the form of a business loan, a contract of partnership or any other form of joint venture. All the three forms were known to the Arabs in the Prophet's time and nowhere is it stated that he disapproved of them. But the essential condition that was imposed on the investor was his sharing of responsibility to incur losses too, and refraining from interest. A Ḥadīth says: "Profit goes with liability."<sup>74</sup>

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71. Bukh. (Zakāt), cf. al-Qaṣṭalānī, op.cit., 65.

72. Bukh. (Zakāt), cf. al-Qaṣṭalānī, op.cit., 3, 34-35.

73. Nas., 6, 241-42. 73a. Tir., 3, 136.

74. Nas., 7, 255; Abu Daud, 3, 385.



It implies that no party can be entitled to profits in a transaction of business unless it is also willing to incur the losses. This principle is clearly in conflict with the spirit of interest wherein the benefit of the lender is secure while that of the borrower is dependent on the trade opportunity.

The Qur'ān prohibits interest and treats it as a wrongful act (zulm) while the Ḥadīth bans the different forms of transactions which make the advantage of the transaction secure for one party and uncertain for the other.<sup>75</sup> Similarly it also prohibits those transactions which contain an element of interest or which could provide subterfuges to interest in the barter economy of the agricultural communities. In the Ṣiḥāḥ alone there are about fifteen Companions on whose authority Ḥadīths on such barter transactions are narrated with varying details.

"Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates and salt by salt, like for like and equal for equal, payment being made on the spot. If these classes differ sell as you wish if payment is made on the spot."<sup>76</sup> "Food for food like for like." (3) Abū-Sa'īd said that Bilāl brought the Prophet some barnī dates and when he asked him where he had got them he replied, "I had some inferior dates so I sold two sā's for a sā'" He said, "Ah, the very essence of interest, the very essence of interest! Do not do so but if you wish

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75. Supra.

76. Mus., 11, 13.



to buy, sell the dates in a separate transaction, then buy with what you get."<sup>77</sup> Like the Qur'ān, the Ḥadīth also condemns ribā or interest in the strongest possible tone. 'Ali said he heard God's messenger cursed those who took interest, those who paid it, those who recorded it and those who refused to give ṣadaqa...<sup>78</sup> Another Ḥadīth says: "Interest has seventy parts the least important being that a man should marry his mother."<sup>79</sup> In spite of the serious threat on the practice of interest the scope of the Ḥadīth prohibiting interest remains to be interpreted. The Ḥadīth generally covers six or seven items, viz. gold, silver, dates, wheat, barley and salt. Gold and silver can be said to have covered all the media of exchange, that is, money, while the remaining four items were generally grown in Medina or Khaybar and were also exchanged on barter. The question is whether these are the only items where interest will be involved in case of exchange or credit or they should be taken to mean an indication to all the food grains, fruits and spices grown outside Medina and Khaybar too. It was this difficulty of interpretation that 'Umar had to observe: "The last Verse to be sent down was that on interest, but the Prophet was taken without having expounded it to us;" so leave aside interest and whatever is doubtful.<sup>80</sup>

In any case these Ḥadīths had much bearing on

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77. Mus., 11, 22.

78. Mishkāt, tr. Robson, 2, 605, with almost similar sense. cf. Abu Daud, 3, 333.

79. Maj., 2, 39.

80. Ibid.

implementing the ban on interest. While advancing a loan a Muslim is led to believe that he was engaged in sadaqa which is rewarded in the Hereafter. Any reward of loan in this world will spoil the spirit of the pious act. Anas reported the Prophet as saying, "When one of you makes a loan and the borrower sends him a present or provides an animal for him to ride, he must not ride the one or accept the other unless it is a practice they followed previously."<sup>81</sup> L

While the spirit of sadaqa has thus been inculcated in the minds, the borrower, on the other hand has been required not to treat the ban as a bounty. A Hadīth says: "If anybody dies a martyrs death but is indebted; he will not go to paradise without paying off his debt."<sup>82</sup> Another Hadīth emphasises the point in another way: "The gravest sin after the great sins is dying without leaving anything sufficient to discharge one's debt."<sup>83</sup> "A well-to-do's procrastination in discharging of a debt is a wrongful act (zulm)."<sup>84</sup>

For those who would prefer making profitable investment of their funds to advancing a loan are advised to share the risk of the loss too. They may take up any business or join with others as partners. In no case are they allowed to share in the profits of their investment without agreeing to share in the probable losses too.

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81. Maj., cf. Mishkāt (Robson) 2, 605.

82. Nas., 7, 315.

83. Abu Daud, 3, 336.

84. Abu Daud, 3, 337.



## ON CONSUMPTION

In addition to these measures the Ḥadīths also take a number of other steps which are conducive to increase saving and the supply of loanable funds. It pointedly disapproves of all those activities which the Qur'ān vaguely terms as obscene or sinful. These activities, however pleasing they may be, add nothing to the national product. They corrupt morality and ultimately effect unequitable distribution of wealth. The attitude of Ḥadīth towards personal consumption is also inclined towards simplicity. For a government official a maximum standard of living is set down in a Ḥadīth in the following words: "Whosoever is our official may marry, have a servant if he does not have one, may build a house if he does not have one; but if someone exceeds it he commits a breach of trust or is a thief."<sup>85</sup> The Ḥadīth gives an idea of the nature of maximum facilities which could be granted in the Prophet's time. Over and above these measures, the consumption and the use of certain items other than those banned in the Qur'ān have also been disapproved. The use of expensive luxury clothes and of gold and silver vessels are disliked.<sup>86</sup> These and all such Ḥadīths stop one from frittering away his resources on unproductive items and enable him to effect savings.

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85. Abu Daud, 3, 185.

86. Nas., 8, 199.



## ON LABOUR

Labour problems as known today could not be conceived of anywhere in the early medieval ages. Slaves formed the largest bulk of labour. Yet there are instances to suggest that slaves were not the only labour force. Free persons also worked for wages. The Prophet himself is reported to have worked as a labourer in the pre-Prophethood days. A free man would be willing to work as an ordinary labourer for anyone only when he was very poor and thus the employer was placed in a position to exploit him. Yet it is found that Ḥadīth literature makes a direct approach only to one's behaviour with slaves but not with free labour. A Ḥadīth says: "Feed your slaves whatever you yourself eat and clothe them whatever you yourself wear and if he has a toilsome job to do then help him."<sup>87</sup> Another Ḥadīth suggests: "Slaves are your brothers whom God has placed at your disposal. So feed them whatever you eat, clothe them whatever you wear and remember, do not entrust with them troublesome work; but if you must have it done then help them."<sup>88</sup> This attitude has ultimately turned into a direction which discourages the very institution of serfdom. "If anybody frees a slave, it will become for him a ransom from Fire."

This approach to slaves<sup>89</sup> is suggestive of a much better behaviour with free labour.

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87. Tir., 8, 126-27.

88. Bukh. (Iman),

89. Also see fn. 1, Chapter 9.

## ON OFFICE-BEARERS

The principles laid down above can efficiently function only when there is a competent administrative machinery to carry them out. Such administrative machinery requires two things in order to function properly: knowledge of the rules and regulations, and a strong moral discipline and sense of responsibility. Many of the best economic policies and plans are doomed to failure for want of these two qualities in administrators. This is mainly true in the case of the economic principles of Islam which are inspired by moral discipline. While teaching of the Islamic principles attained great significance in the illiterate Arab society, moral training of the Muslims with a view to entrusting them with administrative jobs was also not ignored. A Ḥadīth generalises this sense in the following words:

"Each of you is a shepherd and each of you is responsible for his flock. The man who is over the people is shepherd and is responsible for his flock; a man is shepherd in charge of the inhabitants of his household and he is responsible for his flock, a woman is a shepherdess in charge of her husband's house and children and she is responsible for them; and a man's slave is a shepherd in charge of his master's property and he is responsible for it. So each of you is a shepherd and each of you is responsible for his flock."<sup>90</sup>

The following Ḥadīths directly touch upon this question:

"An office is a trust: it is a humiliation (ʿār) except for those who rise equal to the task and pay everyone his due."<sup>91</sup>

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90. Bukh. (Jumʿa), 18.

91. Mus, 12, 209.



"What else than the sin that a man stops the food of the one who is under his charge."92

"The worst of the officers are those who are harsh and unkind. Beware! Do not be among them."93

Serious notice has been taken of corruption and misuse of authority. Breach of trust and embezzlement are severely condemned. "I shall not intercede for him on Doomsday who is involved in the breach of trust."94 The Prophet is said to have been so sensitive to financial indiscipline that he did not hesitate from condemning one of his officials in public, who informed him that he (the official) had accepted the gifts of the Muslims. Apparently this was not so serious a matter as to be impeached in a public gathering. Ibn al-Lutbiyya, the officer under reference was appointed as a collector of Zakāt. He was the Prophet's representative, and the people, out of their love for the Prophet and the sense of gratitude to the officer might have willingly offered him the gifts. But if once allowed, it could bind the people to offer presents to officers and open the door for corruption. The Prophet, in order to nip this evil in the bud, condemned the practice in the strongest possible tone:

"What an officer! I send him and then on his return he says: This is for you and this has been presented to me. Why did he not sit in his father's house or in his mother's house to see if he is still offered presents. By Him in Whose control is Muhammad's life! every one of you who gets anything in this way shall be brought on Doomsday with his (gift of) camel, cow or sheep, loaded on his neck and making noise." 95

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92. Mus., 7, 82.

93. Mus., 12, 213.

94. Mus., 12, 216-17.

95. Mus., 12, 218-22.



On another occasion the Prophet is said to have observed: "Whomsoever we appoint an officer and he misappropriates a needle or even a less expensive thing will be required to come with it on  Domsday."<sup>96</sup> When the Prophet appointed Mu'adh a collector of Zakāt (or a Qādī) in Yemen he warned him not to accept anything without his permission because, as the Ḥadīth says "it is breach of trust and whosoever commits it, will be required to produce it on  Domsday."<sup>97</sup> Another Ḥadīth curses the giver and the receiver of a bribe.<sup>98</sup> It is reported that the Prophet followed a policy of not appointing as his officials those who wished to be appointed.<sup>99</sup> Another Ḥadīth says: "If we appoint anybody on a job and pay him his subsistence and then he takes anything in addition to it, this is embezzlement t.

Government officials are advised to look after the requirements of the people. A Ḥadīth says "If God makes anyone in charge of some job of the Muslims and he neglects their requirement, He will also neglect him in time of his need."<sup>101</sup>

All the Ḥadīths quoted above base the training of the officials on morals. The underlying force is the sense of answerability to God.

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96. Mus., 12, 222.

98. Maj., 2, 775.

100. Abu Daud, 3, 185.

97. Tir., 6, 79.

99. Bukh. (Ijārāt)

101. Abu Daud, 3, 187.

## CHAPTER 3

## THE MORAL FOUNDATIONS OF ECONOMIC LIFE

In the very first book of the Bible the Arab nomad is summed up in the person of Ishmael "He will be a wild man; his hand will be against every man and every man's hand against him."<sup>1</sup> It was the Arab of such stock before whom lay his country, 'bleeding and torn by fratricidal war and inter-tribal dissension, his people sunk in ignorance addicted to obscene rites and superstitions, and with all their desert virtues, lawless and cruel.'<sup>2</sup> These Arabs were wild nomadic people who, surrounded by hardships, must display endurance and fortitude, and pressed by hunger develop qualities of aggression and ferocity. Fierce individualism and all-embracing distrust was their chief characteristic.<sup>3</sup> The settled man regarded the nomad as a natural enemy and the nomad regarded the settled man as a legitimate prey.<sup>4</sup>

What these people could be supposed to do is indicated by Ibn Khaldūn in the following words:

"The Bedouins are a savage nation, fully accustomed to savagery and the things that cause it. Savagery has become their character and nature. They enjoy it because it means freedom from authority and no subservience to leadership....  
....The very nature of their existence is the negation of the building which is the basis of civilization. This is the case with them quite generally.

Furthermore, it is their nature to plunder whatever other people possess. Their sustenance lies wherever the shadow of their lances falls. They recognise no

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1. Gen. 16:12.

2. Syed Amir Ali: The Spirit of Islam, London, 1923, p.15.

3. Bertram Thomas, The Arabs, London, 1937, p.13.

4. Ibid., p.15.



limit in taking the possessions of other people. Whenever their eyes fall upon some property, furnishings or utensils they take them. When they acquire superiority or royal authority they have complete power to plunder (as they please). There no longer exists any political (power) to protect property, and civilization is ruined....

Furthermore, the Bedouins are not concerned with laws, or with deterring people from misdeeds or with protecting some against others. They care only for the property that they might take away from people through looting and imposts. When they have obtained that, they have no interest in anything further, such as taking care of people, looking after their interests, or forcing them not to commit misdeeds."<sup>5</sup>

The character of the Arabs portrayed in the above lines should have been conducive to winning a battle but not conquering a land or a nation. And retaining the conquered land should have been all the more difficult for them. What these unsophisticated illiterate people could be expected of was the storming of a tribe or a nation, to perpetrate mass killings and plunder, and then return to their abodes; or settling in the fertile lands by killing or driving away the defeated people. They knew no mercy to their enemy; their lust for immediate material gains would not allow them to plan their economy, wait for yearly returns to the subjects, and leave with them sufficient resources for comfortable living. But practically it did not happen. they stormed, fought against much larger enemies patiently and with perseverance, routed them, subdued them; and having annihilated the armies, they came to generous terms with the subjects and spared them to live safely, peacefully, and honourably as a tributary nation, under their protection.

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5. Ibn Khaldūn, 'Abd-ar-Rahmān ibn Muḥammad: Muqaddima (Prolegomena), Cairo, 1904, pp.118-20.



When the Arab tribes emerged as a rising power, united under the banner of Islam, they had to face the resistance of great and powerful rivals. As a matter of fact there was no match between Arabs and the Persian and the Byzantine empires. They had at their disposal a unique administration with a highly differentiated and well-trained civil service. Their military techniques were superb and they - mainly the Byzantians, possessed excellent legal framework and were based on highly developed economic and financial system.

It was in this perspective that the Muslim society had to make its way through. With a much limited knowledge of their surroundings, some experience of trade and the simple practice of the administration of tribal institutions they had to count upon two factors: their new ideology and their moral discipline inspired partly by their ideology and partly by their egoism, 'aṣabiyya. It was these two factors which helped them become a world power of the first order. A careful analysis of the early history will make it abundantly clear that it was this moral discipline that made them overcome a number of technical, administrative and legal obstacles. In fact it is these two factors that have formed the basis of their life as also of their economic principles. The relevance of this basis to the economic life of the Muslim society has partly been discussed in Chapters 1 and 2. This chapter is intended as an inquiry into these principles as adhered to by the Muslim society during the period under study.

During the Prophet's time the entire society was made to follow what was ordained in the Qur'ān and what the Prophet directed them to do. The Prophet in himself was treated as a legislative authority and an ideal. His observance in any particular situation was taken to be a guide-line for the future too. As he was directly engaged in training his followers he immediately stopped them in the event of breach of moral discipline. After the conquest of Khaybar, when cultivated land was divided among groups of Muslims and passed on to the local Jews on condition of crop-sharing, the Muslims treating land as their own property, began to use its produce. On knowing this the Prophet had them assembled and observed: "We have given protection to the lives and properties of these Jews and appointed them as our workers. They are now in a treaty relation with us. Eating up of their property without a fair return for it is unlawful." After these instructions there arose no more complaint against them.<sup>6</sup> This instruction laid down the basic principle of non-exploitation of a weaker party. It was this sense of justice that the custodian of the Khaybar properties, 'Abd-Allāh b. Rawāḥa, when he went to share the crop with the Jews, piled up the total produce in two equal heaps and gave them the option to take either<sup>7</sup> lest they should have a feeling of injustice or exploitation. When the Prophet deputed Mu'ādh as a collector of Zakāt and taxes in Yemen, he advised him not to take 'the nicer parts of

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6. Maq. (Im), 328.

7. Bal., 41.

property' by way of Zakāt and warned him to 'beware of the curse of the wronged'.<sup>8</sup> The spirit of this advice was also to check any possibilities of injustice. It was this emphasis on the moral fibre that when the Meccan Muslims migrated to Medina as destitutes, the Medinian Muslims, without any feeling of constraint offered to share with them half of their properties and thus facilitated the task of rehabilitation.<sup>9</sup>

The inspiring force behind this sense of justice, fair-play and fellow-feeling was the fear of God and the object of seeking His pleasure. This required no administrative delicacies and service regulations. There are numerous stories in books of history to prove this basic fibre woven in the different spheres of their activities but they require scrutiny. Nevertheless even as they are, they reflect the norm which, according to the historians, was taken for granted during the early period. The anecdotes reproduced in the following pages have been accepted on their face value without questioning their authenticity.

It has been reported above how Mu'ādh was sent to Yemen as collector. When the same Mu'ādh returned from there Abū-Bakr asked him to furnish the accounts. Mu'ādh retorted: "Shall I have to keep two accounts: one to please my God and the other to satisfy you? By God I shall never work for you again."<sup>10</sup> This behaviour smacked of indiscipline from a purely administrative point of view but

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8. Bal., 83.

9. Saḍ, III, 2,77.

10. Qut., 80.



it reflected a sense of answerability to God. It was the accomplishment of this training that 'Umar, the Qādī (judge) under Abū-Bakr kept idle for months because no dispute was referred to him.<sup>11</sup> When Abū-Bakr went to Mecca he assembled the people to inquire if they had any grievances against the government or its officials, there was no report against either.<sup>12</sup> The Bayt-al-Māl during Abū-Bakr's time was left without a sentinel to guard it.<sup>13</sup>

This was the debut of the nascent society which had no administrative machinery or traditions worth the name. The rights and duties of the civil servants and of the general public were not clearly defined. The application of the new principles to a dynamic expanding society was not yet experimented. It was 'Umar to whom was to be attributed the thrilling take off of the Islamic society by creating precedents which were to form an ideal for a long time to come.

'Umar, a man rigid in principles and strong in disposition, demonstrated the moral discipline in his own person and thus set an example for all his subordinate officers. He treated the government funds as exclusively meant for public welfare, renouncing all financial privileges that were taken for granted for any ruler in other contemporary societies. The council of his advisers also would not allow him to any privileged position as distinguishable from the general Muslims. This asceticism

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11. Sad, III, 1,130.

12. Ibid., 133.

13. Ibid., 151.

might have been unenviable to many other officers who had better financial background<sup>14</sup> but was; nonetheless, a source of inspiration to them. 'Umar was given by the Prophet a very fertile piece of land at Khaybar which could provide for his comfort. He made of it an endowment for the poor, kinsmen, slaves, travellers and guests.<sup>15</sup> 'Amr the conqueror of Egypt earmarked for him a plot of land for his house like thousands of other Muslim soldiers in Egypt. 'Umar ordered him to convert it into a shopping centre and allot the shops to traders.<sup>16</sup> He continued with his own trade during the early days of his Caliphate. When, once, he needed money to finance his share in the business he requested 'Abdār-Rahmān ibn 'Awf to lend him the required amount. 'Abdār-Rahmān was surprised at this request because one of the functions of the Bayt-al-Māl was also to advance loans to individuals. He retorted: "Why don't you borrow it from the Bayt-al-Māl?" "No!" remarked 'Umar, "I won't do that because if I die before repayment, you will propose to write it off as a bad debt and the Bayt-al-Māl will suffer; but if I borrow it from you, you will not spare it and will arrange to receive it from my bequest."<sup>17</sup> He was once advised by a physician to use honey which, at that time was available only in the Bayt-al-Māl. He stood up in the public and sought permission to use the honey to

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14. It is narrated (Sad, III, 1,201) that one of his officers, Hafṣ once called on 'Umar. When it was lunch time 'Umar invited him to join. Hafṣ refused saying: Your food is coarse and rough. I have better meals ready for me at my house."

15. Bukh., Shurūṭ, 10.

16. I.A.H(M), 92.

17. Sad, III, 1,199.



which ordinarily he was not supposed to be entitled.<sup>18</sup> When he entered Jerusalem as a conqueror, the bishop there was moved to see him in untidy and rough clothes and presented him with a suit. 'Umar refused, but when the bishop insisted, he agreed to borrow it only for as long as his own clothes were cleansed. And he accepted and returned the loan accordingly.<sup>19</sup>

'Umar was meticulous not only in his own person but also expected his officers to behave in a more dignified way than was required of them. He would immediately react if any of his officers who were generally the Prophet's Companions would fall short of his standard. The affair of confiscation of half of the properties of his officers is perhaps a most instructive story, which, with varying details, is to be found in all histories of the period. It is stated that he used to prepare a list of the properties which a person owned before he was assigned a government office.<sup>20</sup>

'Umar came to know of a poem in which the poet had spoken of the riches which had been accumulated by Nu'mān, the officer of Emessa and two other officials.<sup>21</sup> There was no witness, no proof. Yet he responded quickly and appointed Maslama inspector and magistrate and advised him to take away half of each officer's property.<sup>22</sup> Maslama left Medina with a

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18. Ibid., 198.

19. Patr.Or., 8, 475.

20. Sad, III, 1, 203.

21. I.A.H.(M), 147.

22. Ibid., Bal., (377) has given the names of nine officers half of whose property was taken over. Sad, (III, 1, 203) has reported that one hundred officials were affected.



letter of authority mentioning the purpose of his appointment but without any police or guards. It was taken for granted that Maslama would not be harmed by any of the officers in remote provinces. It was also taken for granted that in case Maslama wanted these governors to forego half of their property, the governors, in order to save their face and defend their position would not deceive him. 'Umar instituted a public inquiry against Sa'd, the governor of Kūfa on reports of leniency in the sale of 'Khums', the fifth of booty.<sup>23</sup> Abū-Hurayra, the collector of Zakāt in 'Umān got a salary for his office. He also received his pension from the Bayt-al-Māl as was payable to all the early Muslims. Along with these incomes he also engaged himself in horse-trade and added to his savings.<sup>24</sup> 'Umar alleged him to be a thief of God's property and took away the whole of his savings.<sup>25</sup> He not only impeached the officials but also ensured that their kinsmen also did not take advantage of their office. He took over a portion of the earnings of the brother of the collector at Ubulla. The reason was that this officer used to lend his brother public money which he invested in profitable business.<sup>26</sup> He did not spare his own sons who were once given public money in Iraq to be deposited in the central Bayt-al-Māl. The funds were given as a loan to be repaid in full at the destination. They

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23. Sad, 5, 44.

24. Bal., 93; Maq, 2, 259 (cf. 'Umar Abu 'n Naṣr 'Umar, 187) reports that 'Umar, while he fixed salaries for his officials advised them not to hoard wealth or invest in immovable properties or in farming.

25. Bal., 93.

26. Bal., 377.

traded with it en route and returned the principal to the Caliph. 'Umar, knowing of this deal, immediately called up his sons and took over a portion of their profit.<sup>27</sup> The enforcement of the supererogatory standard of moral behaviour was thus inspired by the personal example of the Caliph and by the general training of the Muslim people. The more rigid the Caliph, the more cautious were the subordinates. When Hīra was conquered in A.H.12, Khālīd, the commander of the Muslim army was honoured with presents which were despatched by him to the Caliph who advised his commander to adjust their value against the stipulated Jizya, poll-tax<sup>28</sup> because taking of anything more than stipulated was unjust. Following this ideal the governor of Kūfa, when he used the material of the palace of Hīra adjusted the value of the material against Jizya-money.<sup>29</sup> Another example of this sense of justice is evidenced in the case of the conquered people of Syrian cities, who paid tribute to Muslim general Abū-'Ubayda. The tribute was treated to be a charge for the protection of the tributaries. When the Muslim army had to concentrate on some other front the general returned the amount because he had to recall his army units from these cities and leave them unprotected.<sup>30</sup>

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27. Mālik ibn Anas, Mowattā (narration Yahyā) chapter on Qard (loan).

28. Tab., 1, 2042.

29. Bal., 284.

30. Kharaḡ, 80-81; Chronicum Anonymum ad annum Christi 1234, pertinens, ed. J.B. Chabot CSCO, Scriptores Syri, III Series XIV 1937 p.195. cf. Denn. 57. See the former source for Emessa; the latter for Damascus. Kh 80-81 for all cities



'Utba b. Ghazwān, another general, once sent some sweets to the Caliph who returned them with the remark that he would not eat a thing which was not available to all the Muslims.<sup>31</sup> The same answer was given by Abū-'Ubayda when he was invited to a meal by the subjugated citizens.<sup>32</sup> The spirit of submission to the requirements of extraordinary moral discipline can be found in a thrilling example of the most popular and invincible general, Khālīd, half of whose wealth was to be taken over. When Abū-'Ubayda executed the orders of the Caliph, Khālīd even took off one of his shoes. Abū-'Ubayda did not find any sense in dividing the pair of shoes; yet Khālīd retorted: "The orders of the Amīr al-Mu'minīn must fully be carried out".<sup>33</sup>

It is not possible here to cite the examples of the moral level of an ordinary Muslim. Instances of a high degree of moral accomplishment are recorded only when the event is extra ordinary. Anyhow an estimate of this level by rather implacable 'Umar is worthy of note, when he received in Khums (fifths of booty) the property of the Persian emperor studded with precious stones and gold and silver pieces. Finding these articles unscratched and intact he admitted: "Highly honest is a nation that has sent these articles!"<sup>34</sup>

Although the books of history are replete with instances of the high moral conduct of the people of early

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31. Bal., 323-24. The presumable reason why he did not distribute the sweets in Medina seems to be his emphasis on training his officers.

32. Tab., 1, 2171.

33. Tab., 1, 2149, 2527.

34. Tab., 1, 2450.



Islamic era, this chapter has mostly been confined to a few of those examples which have some bearing on the subject-matter of this thesis. In a nutshell, the instances speak of a great sense of justice, strict observance of trust, honesty and integrity and the concept of equality in rights and privileges - a metamorphosis of the Bedouin character. The law, traditions and common sense could allow them more than what they enjoyed, but they set for themselves a standard which even after allowing for concession and relaxations could not infringe a just degree and could match any other moral system. An embarrassing situation sometimes arose when an officer challenged the validity of the Caliph's over-insistence on morals. On such occasions the Caliph could not venture to behave like a dictator; resort was made to law or convincing argument. When 'Umar deputed Maslama to take over half of the property of each officer, one of them refused to surrender his.<sup>35</sup> 'Umar did not take any further action against him, perhaps because he knew there was no legal justification for doing the same. When Abū Hurayra protested at 'Umar's action and refused to work, the latter could not convince him of his stand.<sup>36</sup> He was at doldrums when his decision of keeping the Sawād-lands undistributed was challenged. He and his supporters could get out of it only when, after three days of unnerving

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35. The story is related to Abū-Bakra who said: "By God, if this is from God's property I have taken it is not permissible for you to take some and leave the remaining; but if it is our property it is not (lawful) for you to snatch it away." Yaq., 2, 147.

36. Ibid.

and harsh exchanges, 'Umar cited in his support a Verse of the Qur'ān.<sup>37</sup> When 'Umar advised the governor of Madā'in, Hudhayfa, to divorce his Christian wife, the latter found no legal justification for 'Umar's directive in regard to this purely personal matter and refused to comply with it. He posed a counter-question as to whether the Caliph treated it as Ḥarām (unlawful) and what was the rationale behind the demand. 'Umar, rather than taking disciplinary action against Hudhayfa, admitted that his marriage was quite lawful but pointed out that the Christian women of Madā'in were so enamouring that if the Arabs were freely allowed to marry them they would neglect Arab women. On this point only, Hudhayfa was convinced.<sup>38</sup> When 'Umar wrote to 'Uthmān b. Hunayf to allot a stretch of land to an applicant, he found it an unusual practice. Rather than promptly complying with his orders, he wrote to 'Umar to reconfirm it.<sup>39</sup>

The above instances suggest emphasis on morality and the supremacy of law. As a matter of fact it was this emphasis on morality that made supremacy of law possible. The state of affairs did not end with 'Umar. But the full demonstration of this quality could not be effectively made during the coming period of political confusion and chaos. Nonetheless, it was the same society except 'Umar. Caliph 'Uthmān was not as strict as his predecessor and a small group of unscrupulous persons confused the entire situation. 'Uthmān and 'Alī had no less a brilliant record of their

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37. Kh., 13 et seq.

38. Tab., 1, 2375.

39. Maq.(Kh), 1, 97.



service to Islam for the past thirty-five and forty-five years respectively. They can rightly be treated as the ideal heroes of Islam like their predecessors. 'Uthmān was one of the richest Companions of the Prophet and his wealth served the cause of Islam on some of the most critical junctures of its history. He refused to draw any salary for his office because he had his own resources.<sup>40</sup> He was equally anxious to see that his officers were very careful in discharging their duties to the people than in securing the rights of the governments. "Become the supporters and protectors of the people rather than collectors of taxes," thus he addressed his first letter to his officers.<sup>41</sup> But by this time the resources of the Bayt al-Māl had been enormously expanded and he did not need to exercise the austerity of 'Umar. He hardly infringed the supremacy of law but on some points his interpretation of it was different from that of his predecessors.<sup>42</sup> He was as much competent to interpret any ambiguity in law as 'Umar was. Unlike it, 'Alī strictly adhered to what was practised by the Prophet and his two successors. On some points, however, he exercised his personal judgement without offending the senior Companions.<sup>43</sup> But for political chaos in the

40. M.B.Y., 98-99.

41. Tab., 1, 2802.

42. An example is the Qur'ānic injunction on distributing the one fifths of booty under different heads of expenditure. 'Uthmān believed that the Qur'ānic words 'God and His Apostle' signify the ruling authority, after the Prophet's death and, therefore, the kinsmen of the Caliph also had a share in the 'fifths' as the kinsmen of the Prophet had while he was alive. For more discussion see Chapter on 'Ghanīma and Khums' (Booty and the Fifth).

43. See Chapters on 'Ghanīma and Khums' and on 'Zakat'.



last few years, the human material was almost the same with 'Uthmān although with some difference during the Caliphate of 'Alī. When 'Uthmān relieved Abū-Mūsā from governorship of Basra he sanctioned for him a sufficient amount for his later life. Abū-Mūsā, although penniless and hard-pressed at that moment, did not find any justification in 'Uthmān's granting this ex-gratia.<sup>44</sup> The same amount was offered by 'Uthmān to his incharge of the Bayt-al-Māl at Medina who refused this amount on the plea that he had been working for the sake of God and not for monetary benefit.<sup>45</sup> Unfortunately 'Uthmān had deposited his personal incomes with the same treasurer, 'Abd-Allāh b. Arqam which offended him and he, in a public gathering where 'Uthmān was also present, retorted: "Gentlemen, 'Uthmān thinks that I am his and his family's treasurer, although I was the treasurer of the Muslims. Now here are the keys of your Bayt-al-Māl." With these words he threw away the bunch of keys.<sup>46</sup>

'Alī's asceticism in his personal expenditure excelled all his predecessors. He was not unaware of the Caliph's right to subsistence from the Bayt-al-Māl but he voluntarily deprived himself of it. He took his sword to the market to sell it because he needed money to get a shirt.<sup>47</sup> When some of his friends found him shivering in the cold they advised him to get himself a woollen mantle from the Bayt-al-Māl. But he chose to forego the right.<sup>48</sup> 'Alī's respect

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44. Sad, 5, 32.

45. Dh.(Tar), 2, 299. The number of officers who were reluctant to accept a salary was much more in 'Umar's time.

46. Yaq., 2, 158.

47. Kath., 8, 3.

48. Ibid.

for law can be summarised in an interesting observation reportedly made by his angry brother 'Aqīl in the presence of 'Alī's rival Mu'āwīya, in the context of a story which requires more evidence to be fully acceptable, but which portrays 'Alī's character more than Mu'āwīya's. It runs thus: 'Aqīl called on 'Alī for some financial help. 'Alī presumably did not think it right to assist him from the Bayt-al-Māl and, therefore, refused, saying that he would not like to be arraigned (before God) as a thief of public money. 'Aqīl slipped away to Mu'āwīya who was ruling in Damascus. Mu'āwīya awarded him a big amount and, hoping to receive 'Alī's brother's compliments, requested 'Aqīl to address the public. 'Aqīl thus acknowledged the favour: "Brothers, 'Alī preferred his religion to me while Mu'āwīya preferred me to his religion."<sup>49</sup> Whether or not the story be true it does point to a situation which could shelter elements seeking to defeat the supremacy of law. There are reports to suggest that this trend had set in not long after the death of 'Uthmān when Ibn 'Āmir, the governor of Basra packed off with all the assets of the provincial Bayt-al-Māl and joined the rebels.<sup>50</sup> 'Alī imprisoned the governor of Ray who embezzled the funds of land-tax, but he managed to escape to Mu'āwīya.<sup>51</sup> The cases of fraud were also reported in 'Umar's time,<sup>52</sup> but such criminals had no

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49. Dh.(Tar), 2, 234. 50. Sad, 5, 34. 51. Bal., 315.

52. Bal., 449. A man misrepresented himself as collector of taxes and took away the public funds.



protection. Anyhow, the cases of undeserved favour and immunity from law began to appear by the end of 'Alī's reign, and with his death began another period in which the ruler was unmindful of suppressing the forces of evil.

The early Caliphs had set an example of clean personal record in regard to financial interests. Abū Bakr and 'Umar took from the Bayt-al-Māl only as much as could help them make both ends meet. 'Alī did not take even that much. 'Uthmān, on the contrary, had been obliging the Bayt-al-Māl itself and relieved the government of serious strains on many occasions. It should be no surprise, therefore, if he bequeathed any large fortunes.<sup>53</sup> But in spite of his enormous wealth, and resentment of some people against him, one could not accuse 'Uthmān of any undesirable practice of multiplying wealth. These earlier Caliphs had a very clear concept of the Bayt-al-Māl. After 'Alī, however, the position was changed. Many of the actions and policies of these Caliphs were justifiable only on the ground of later juristic opinions, but the surviving Companions of the Prophet generally had a different standard of judgement. Mu'āwiya asked Ibn 'Umar as to the constructions he had put up. Ibn 'Umar observed: "If this is from God's wealth (māl-Allāh) then you have committed breach of trust; but if it is from your own wealth, you are a spendthrift."<sup>54</sup> It was this sort of rigid critical

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53. Mas., 3,76. The other version is that he had distributed among the poor and the kinsmen all his cash and live-stock. It is reported (Tab., 1, 2952) that 'Uthmān himself admitted: When I became Caliph I had the largest herd of camels and sheep. Now all that I have is two camels...

54. Yaq., 2, 221.

judgement of the senior members of society that frequently stopped the later rulers from riding roughshod. Now there was a dual standard. Publicly they had to care for moral principles and could hardly venture to violate the law, while internally, they did not or could not stop their misbehaving officials going off the rails.

In the situation outlined above, the first blow was received by the concept of justice. Formerly it was regarded as an obligation of justice to receive only as much from the dhimmīs (the protected citizens) as was mutually agreed upon, or pre-assessed. Any other payments were adjusted against the amount of tribute.<sup>55</sup> Now the rulers did not hesitate in claiming more than what was due. The revenue officers of Iraq demanded of the people of Sawād all the presents on the festivals of Nawroz and Mehrjān. It is stated that the total value of these presents amounted to ten million dirhams.<sup>56</sup> There are reasons to believe that the Caliphs would not be unaware of this excess. The same practice was later on adopted in Khurāsān.<sup>57</sup> These presents were being claimed as a right. The central mosque of Wāsiṭ was built with material brought from other cities. The people there protested, but that did not move these rulers to pay for the material as was done in 'Umar's time.<sup>58</sup>

While appropriation of the funds of the Bayt-al-Māl was continued as previously, its misappropriation was also allowed as a matter of right, or by way of leniency. The

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55. Tab., 1, 2042.

56. Jahs., 24.

57. Tab., 2, 1635.

58. Bal., 2, 288, 299.



ruling family was entitled to special grants, and endowed with big plots of agricultural lands.<sup>59</sup> A ruler could endow any amount to the poets by way of tips in appreciation of their panegerics,<sup>60</sup> or to his own son to appease him.<sup>61</sup> The governor of Basra, at the time of his dismissal requested the Caliph not to check his accounts of the fund of the Bayt-al-Māl under him. His request was acceded to.<sup>62</sup> When the governor of Khurasan called on the ruler he was asked about the amount of revenues that he had brought with him. He reported it to be twenty million. He was now given the option either to submit the accounts and money for audit or take away the amount and resign. He chose the latter course and got off.<sup>63</sup> Many governors were near relatives of the rulers, and were exempt from submitting any accounts or sending any portion of revenues to the Bayt-al-Māl.<sup>64</sup> Large amounts could be granted by way of political bribes<sup>65</sup> or written off by way of friendship.<sup>66</sup>

Another deviation from the examples and precedents set earlier was the generous concept of the chosen property (amwāl ṣāfiya) which was now revived for the first time after the Prophet's death. The ruler could pick out any public property as his own. Even private properties were not safe

59. Bal., 284.

60. Sad, 5, 275.

61. Tab., 2, 96.

62. Kath., 8, 28. Tab 2, 69

63. Kath., 8, 94; Jahs., 29. Even the rebel Ibn Zubayr refused to call to account his governor at Kufa which led to the rising of Mukhtar against him. Mas., 3, 272.

64. Tab., 2, 1167; Yaq., 2, 210-11; Kindi, 31, 55.

65. Kindi, 31; Khal., 2, 186 Supp.

66. Bal., (333). Tab. 2, 189

from this 'pious choice' for they could form a part of the ruler's personal wealth. He could pick out any private house,<sup>67</sup> even the lands of Fadak,<sup>68</sup> the personal properties of a governor under punishment<sup>69</sup> or any other properties which, in the earlier days, formed part of public wealth.<sup>70</sup>

It was presumably through these acquisitions and misappropriations that the ruling class became the richest class of the people. And it is presumably because of this tendency that subordinate officers also made a point of amassing as much money as possible in as little time as possible. Sometimes these officers got off scot free; but very often they were brought to book and were made to disgorge more than they had eaten up.

Some of the specific cases cited above may be defended on grounds of the reinterpretation of the law which was heretofore practised, while a few others might be given the benefit of the doubt on the ground of historians' alleged prejudices. But the evidence of such infringements are so plentiful in many spheres that any attempt at defending the position of these rulers in many cases would sound unconvincing. The justification of some others in the face of growing political anarchy and confusion can be understandable but with many qualifications.

In spite of all the instances of the malpractices as mentioned above, it should not be taken to mean that justice, law, and morality were absolutely discarded. The concept

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67. Bal., 281.

68. Sad, 5, 286.

69. Tab., 2, 164.

70. Yaq., 2, 222.



of justice was still there, but came to have many a loophole. Supremacy of the law was recognised, but with reservations. The rulers were still alive to their duty to the public, but themselves enjoyed more privileges and immunities than were conceivable before.

The revolutionary changes that were brought in by 'Umar II were an extraordinary endeavour to revive the old traditions.<sup>71</sup> Nonetheless the deviating rulers, too, had at least something to their credit. When Mu'āwīya approached his death he voluntarily offered half of his property to the Bayt-al-Māl in order to purify the balance.<sup>72</sup> Earlier he had wanted to extend the central mosque in Damascus, which was proving too small, owing to larger and larger congregations. It was possible only if a portion of the courtyard of the church of St. John was included in it. And as justice would require, the bishop should be freely agreeable to forego or sell this portion. The bishop refused to do so and Mu'āwīya had to do with his small mosque. Later on 'Abd-al-Malik also offered a lucrative amount but he also met with a discouraging response.<sup>73</sup>

An artisan of 'Akkā had some flour mills and other revenue earning items which Caliph Hishām offered him to buy. The owner refused to sell them, and Hishām did not try to misuse his authority.<sup>74</sup> These rulers, whatever they

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71. Discussed in all the chapters.

72. Tab. 2, 202

73. Bal., 131. Walīd, after the bishop's refusal to accept a much larger amount, however, usurped it and effected the expansion. 'Umar II, in order to make up for this injustice, reached a compromise with the priest: church for a church (Ibid.).

74. Bal., 124-25

themselves might be, often cared to see that their subordinate officers were not violating the limits of law. 'Abd-al-Malik wrote to Hajjāj: "In my capacity of being the Amīr al-Mu'minīn, I am God's trust (amīn). Refusing anybody his right or giving anybody without his right are like evils before me."<sup>75</sup> Sulaymān b. 'Abd-al-Malik advised all his kinsmen and courtiers to listen to, obey and fear God.<sup>76</sup> When Marwān appointed his son 'Abd-al-'Azīz, governor of Egypt, he advised him to do justice and good to everybody.<sup>77</sup> When 'Abd-al-Malik was informed that Hajjāj had perpetrated some excesses in suppressing the rebellion of Ibn al-Ash'ath he wrote to him: "I order you to pay blood-money to the survivors of those who have been killed by mistake; and compensation be given in cases where they have been knowingly killed. Confiscated properties and lands be returned to their owners."<sup>78</sup>

Up to Mu'āwiya's time, the officers themselves could defy the orders of the Caliph if they were judged by them to be in violation of the law. When Mu'āwiya advised his officers to raise the rate of tax in some parts of Egypt the officers refused to obey the orders because they thought it was a violation of the treaty with the Copts.<sup>79</sup> The governor of Iraq asked his deputy in Khurāsān to send for the Caliph the entire quantity of gold and silver which he had taken over as booty. The deputy refused to follow this advice because, according to him, this contravened the

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75. Mas., 3, 341.

76. Yaq., 3, 46.

77. Kindī, 47.

78. Mas., 3, 341.

79. Bal., 219.



Qur'ānic provision of the distribution of booty.<sup>80</sup> The Caliph wrote to the governor of Egypt to allot a spacious plot of land to somebody. The governor did not comply with it because, according to him, the land in question could not be given to anybody under the terms of the treaty.<sup>81</sup> But by the death of Mu'āwiyā most of the senior Companions had passed away and the resistance against unlawful actions had weakened. Yet, even in the later period, there are instances to suggest that the extent of violation of the rules of justice was not great. In the case of major policy issues, and legal disputes, resort was made to the Qur'ān. If there was any ambiguity in the Qur'ān, reference was made to Hadīth as quoted by a reliable scholar.<sup>82</sup>

In the above lines has been presented the bright, as well as the dark side of the rulers only. But in successful functioning of an economic institution based on ethics it is not the rulers alone, but also the entire society that count. And thus the entire blame of the mal-administration of some economic institutions at a certain time cannot be passed on to the later rulers. Their responsibility no doubt lay in ignoring the moral training of their officials, particularly that of the newly converted Muslims. The decline that started under Mu'āwiyā could be arrested by another equally noble prince, 'Abd-al-Malik who continued to rule for a fairly long period. But unfortunately he was

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80. Kath., 8, 29.

81. I.A.H.(M), 85.

82. Mas., 2, 49; Yah., 289; Qut., 83; Ag., 258.

forced to entangle himself in the chaotic political situation. That is why his frequent attempts at improving the situation remained frustrated. As a result he had no alternative but to support his officials' ruthlessness when the fissiparous forces grew. He seems to have diverted himself from negative activities to positive work after suppressing Ibn Ash'ath's revolt (A.H.82), although the Khārijites were still at large. But this left him only a short period of peaceful rule before his death in A.H.86. Thus the ills of the body politic spread gradually and imperceptibly in many directions. However, before the first century of Islam which had opened up gloriously ended on a tragic note, 'Umar II addressed himself to the task of putting everything on an even keel. Reform<sup>83</sup> under him began at home, then it reached the government officials. The last stage of his reform should have been public at large, had he got sufficient time to do so. Unfortunately his successor, rather than continuing the reforms, hastened to undo them, mainly because they involved some loss to the economy, and royal privileges. But 'Umar II's approach had become so popular in the public that the rebel Yazīd b. Muḥallab gathered around him large crowds in the name of 'Umar II's Sunna.<sup>84</sup> When conditions in Iraq seemed to be beyond control after Hishām, the ruler appointed 'Umar II's son as governor<sup>85</sup> who succeeded in cooling down the turmoil, at least for as long as he himself did not break away.

'Umar II had said: "The spirit of economic laws is justice

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83. His reforms have been discussed in almost all the following chapters.

84. Tab., 2, 1392.

85. Tab., 2, 1854.



('adl) and generosity (ihsān).<sup>86</sup> The early history reflects the truth in the observation. The ruler, on the eve of the sad end of the Umayyad dynasty at last admitted:

"We committed injustice to our subjects and they became disappointed with our justice. They wished to get rid of us. Our tax-payers were overburdened so they deserted us, destructed our estates and emptied our treasures."<sup>87</sup>

But it was too late now!

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86. A.U., 120.

87. Mas., Cairo, 3, 159. Cf. Kharbutli, 391.

## CHAPTER 4

## OWNERSHIP AND CONTROLS

The concept of the ownership of land has been known to all the agricultural societies. Private ownership was a recognised institution in Arabia when the Prophet was born. Yet there is not to be found a single Verse in the Qur'ān clearly approving or disapproving of the private ownership of land. What can at the most be derived from it is an indication of qualified ownership:

"And verily we have written in the Psalms (Zabūr), after the reminder: My righteous slaves will inherit the earth." XXI-105.

But the Verse seems to be more applicable to political authority than to individuals. This concept was reiterated by the Prophet when he gave an ultimatum to Banū Qurayḍa, in the following words:

"Understand it clearly that land is for God and His Messenger. I want to exile you from here so if anybody has land, he should sell it out otherwise you should understand that land is for God and His Messenger."<sup>1</sup>

Here the ownership of God and His Messenger is not inimical to the individual right to own and sell the lands. On another occasion the Prophet is reported to have asserted the same thing more generally: "Old and fallow lands are for God and His Messenger, and then they are for you."<sup>2</sup> 'Umar reiterated the same policy when he said: "Land is basically our, i.e. State property."<sup>3</sup> 'Abd-al-Malik was to decide a

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1. Bukh. (Jizya), 9; Mus., 12, 90.

2. A.U., 674. Here and hereinafter the numbers against A.U. will refer to paragraph number and not page number.

3. A.U., 691, 740-41.



dispute pertaining to a stretch of reclaimed land when 'Urwa b. Zubayr narrated to him a Ḥadīth, thus: "The servants are the servants of God ('Ibād-Allāh), the land is the land of God and he who revives dead land owns it."<sup>4</sup> This became the decisive rule in judging the merit of the case.

Before Islam, too, land was owned by individuals, by the community and by the 'state'. All the three forms of ownership were known to the Arabs at the advent of the Prophet. Some of the wealthy Meccans possessed lands in fertile towns. 'Utba and Shayba had their gardens in Ṭa'if.<sup>5</sup> 'Amr also had a valuable stretch of land there.<sup>6</sup> Abū-Sufyān had landed property at Balqā' in Syria.<sup>7</sup> Orchards used for grazing livestock were treated as community land. What the tribal chief reserved for his own cattle or for any other purpose was in the tribal sense a royal possession. Pre-Islamic Arabic literature frequently hints at such lands.<sup>8</sup> The Egyptian lands were treated to be the property of the Roman emperor, and a substantial portion of these lands, even during the Byzantine period.<sup>9</sup> 'Umar took over as state properties all lands which, in the pre-Islamic days, were owned by the emperor of Persia or his family.<sup>10</sup>

When the Prophet migrated to Medina, a large number of

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4. Yah.289. Here and hereinafter the numbers against Yah. refer to paragraph number.

5. Tab., 1, 1200.

6. I.F., 22.

7. Bal., 135.

8. Cheikho, 153, 157. Kulayb Wā'il b. Rabī'a, for example, reserved an orchard for his camels, an area for hunting, and for water. To quote some verses:

عَمِيَّةٌ مِنْ مَذْجٍ رَعِيٍّ  
بَانَ عَمَايَ لَيْسَ بِمَبْتَلَعٍ

الْكُفَى فِي عَمِيَّةٍ طَلَبَ الدَّهْرُ  
سَيَعْلَمُ آلُ ثَرْثَةٍ حَيْثُ كَانُوا

9. J.G.M., 126-27.

10. A.U., 694.

Medinan Muslims had their own agricultural lands. The Prophet did not only confirm their ownership, but himself set a positive precedent by allowing lands to individuals. The lands thus allotted by him fall into two categories: (i) lands for housing, and (ii) lands for farming or gardening. Books of history record a number of names of important persons whom plots for housing were allotted. A list of names falling under the latter category of lands is given below. (p. 99 ).

This list cannot, by any means, be called comprehensive, but, anyhow, gives an idea about the Prophet's policy in respect of the allotment of land on the basis of private ownership.

This policy was followed by his Caliphs too. The Pious Caliphs are reported to have allotted lands to individuals.<sup>11</sup> 'Umar transferred all the lands of Khaybar<sup>12</sup> and Fadak to hundreds of allottees after he exiled the Jews from there. He distributed Ra's al-'Ayn among a number of Muslims.<sup>13</sup> He also directed his governors in 'Irāq and Syria to allot large tracts of land to the exiled non-Muslims of Najrān.<sup>14</sup> In the very early stage of the conquest of

11. Kh., 35; Sad, III, 1, 72, 75, 89; Yah., 242, 244, 248; Bal., 26, 34; Waq., 721; Maq.(Kh), I, 97.

12. These lands were distributed by the Prophet collectively; the crop of a tract of land to be shared by one hundred persons. 'Umar perhaps distributed the share in crop except in some specific cases. He did not generally allow their transfer by way of inheritance. It is curious to note that in the beginning 'Umar does not seem to be in favour of allotting big pieces of land to individuals. He is reported to have refused to grant to 'Abbās the land at Bahrayn which was reportedly allotted to him by the Prophet (Sa'd IV, 1,12,14). Abū-Bakr allotted land to Talha but 'Umar refused to sign the transfer deed as witness (A.U.685). But after the extensive conquests in Iraq and Syria, he seems to have changed his mind.

13. Bal., 181.

14. A.U., 503; Bal. 77.



Table No.2.

<u>Name of the allottee</u>	<u>Location with particulars of land, if available.</u>
1. Abū-Bakr	Banū Nadīr (Al-‘Āliya) and somewhere else. <sup>15</sup>
2. ‘Umar	Khaybar <sup>16</sup>
3. ‘Alī	Bi‘r Qays, Shajara, Faqīrayn <sup>17</sup>
4. Zubayr	Khaybar (oasis), land at Banū Nadīr (oasis) or 30 miles from Medina <sup>18</sup>
5. Bilāl b. Ḥarīth	Land with mineral deposits at ‘Aqīq Valley <sup>19</sup>
6. Miqdād	Banū Jadīla <sup>20</sup>
7. Ḥamza b. Nu‘mān	Wādī‘l Qurā <sup>21</sup>
8. Farāt b. Hayyān	Yamāma <sup>22</sup>
9. Ḥassān b. Thābit	the garden of Bayruḥā <sup>23</sup>
10. Mujjā‘a	Ghūra, Gharāba, Ḥabal <sup>24</sup>
11. Zayd al-Ṭā‘ī	Exact location not given; may be his own region <sup>25</sup>
12. Ṣafawān b. Umayya	Valley between Ḥunayn and Mecca <sup>26</sup>
13. Abyaḍ b. Ḥammāl	Salt mines of the Hilly land at Ma‘arib (later on withdrawn) <sup>27</sup>
14. Name not given (probably Salma b. Akwa‘)	Around his brother's grave probably at Khaybar <sup>28</sup>
15. An unnamed Anṣārī	(Later on returned by him) <sup>29</sup>
16. People of ‘Urayna (or Muzayna)	Location not given <sup>30</sup>
17. Anṣār (Helpers) as individuals	The Prophet intended to distribute Bahrayn among them which they preferred to do without <sup>31</sup>
18. Name not given probably ‘Alqama	Ḥaḍramawt <sup>32</sup>
19. Nephew of a non-Muslim	Yanbū‘ during his return from Badr <sup>33</sup>
20. ‘Abd ar-Raḥmān b. ‘Āwḥ	Banu Nadīr <sup>34</sup>

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15. Sad, III, 1, 132, 138; Kh., 34.

16. Mus., 11, 86; Kh., 34. 17. Bal., 27; Yah., 245.

18. A.U. 676, 690; Bal., 34; Bukh. (Khums), 58; Sad, III, 1, 24 .

19. Bal., 27; A.U., 677. 20. Sad, III, 1, 114.

21. Bal., 84; Sad, IV, 2, 74. 22. Bal., 103.

23. Bukh., (Waṣīyya), 17. 24. Bal., 102.

25. Tab., 1, 1748; Sira, 2, 373. (Contd.)

Sawād he intended to distribute them among the fighters but later on refrained from doing so.<sup>35</sup> Historians have given a number of names of the persons whom he gave land to.<sup>36</sup> It is, however, reported that he was not in favour of allotting the lands in Egypt, Iraq and Syria, to individuals although some exceptions in this regard have been recorded.<sup>37</sup>

‘Umar’s policy was followed by his successor, ‘Uthmān. By his time the Arab conquests had widely expanded. Moreover, unlike ‘Umar, who had taken over vast lands of the royal family of Persia and kept them as unallotted state lands, ‘Uthmān found it more in the interest of the state to give them away to individuals for reclamation and for contributing a portion of their proceeds to the coffers of the state.<sup>38</sup>

The process of distributing cultivable lands was, thus, accelerated in his reign. Many of the newly conquered lands were also distributed by him in order to encourage Muslims to dwell there so that these areas were not left at

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26. Waq., 946.

28. Waq., 658.

30. Yah., 287.

32. Bal., 84; Tir., 6, 149-50.

33. Waq., 20.

35. Yah., 103.

36. Bal., 26; Yah., 184, 248; Maq.(Kh), 1, 97; Kh., 35.

37. Bal., 346; 360; I.A.M.(M), 137, 138; A.U., 687-88; Yah., 246.; Maq.(Kh), 1, 96.

38. It is reported that these lands in ‘Umar’s time earned nine million dirhams while the revenues in ‘Uthman’s time rose to 50 million dirhams, after they had been allotted by him. Maq.(Kh), 1, 96. According to Kh.(32), 4 or 7 mill. dirhams in ‘Umar’s time. According to Bal., (272), 7 lakh dirhams.

27. A.U., 683; Bal., 84; Yah., 3 47.

29. A.U., 675.

31. Bukh (Musāqāt), 24.

34. Bal., 31.



the mercy of the subjugated population.<sup>39</sup> Balādhurī and Maqrīzī have mentioned a number of persons whom ‘Uthmān allotted lands in different regions.<sup>40</sup> In the later period, due to some reasons, he also managed to exchange the title of the lands in Iraq with those in the Hijāz and Yemen.<sup>41</sup> ‘Alī intended to distribute the lands of Sawād but refrained from doing so for social considerations.<sup>42</sup> There are few records to suggest that he was as generous in giving away lands as his predecessors were.<sup>43</sup>

The above facts make it clear that the Prophet and the pious Caliphs allotted lands to individuals. What were in general the nature and the terms and conditions on which these lands were allotted is yet to be examined.

First, curiously enough, the early sources also give the names of persons like ‘Uthmān and ‘Abd-ar-Raḥmān b. ‘Awf, who were among the wealthiest Muslims of Medīna as the owners or the allottees of lands. ‘Uthmān had his land at Wādī’l Qurā and Hunayn<sup>44</sup> and ‘Abd-ar-Raḥmān was given a stretch of land at Banū Naḍīr.<sup>45</sup> As curiously, the same person is sometimes seen to have been given land by the Prophet and the Caliphs. The Prophet awarded to Zubayr a stretch of land

39. For example the lands of Antioch (Bal., 153).

40. Bal., 272, 273, 353-4; Maq.(Kh), 1, 96.


41. Bal., 346, 356; Tab., 1, 2854; Athir, 3, 52.

42. Kh., 21.

43. Maq.(Kh), 1, 97, has given the names of two persons only to whom ‘Alī gave land. A big courtyard or a farm to Kardūs and a stretch of land for raising livestock to Sawayd.

44. Mas., 3, 76.

45. Bal., 31.

in Khaybar.<sup>46</sup> Abū-Bakr gave him land at al-Juraf, 'Umar bestowed on him land in Al-'Aqīq, and 'Uthmān also gave him a plot of land somewhere else.<sup>47</sup> Similar was the case with Mujjā'a who was allotted land by the Prophet as well as by the first three Caliphs.<sup>48</sup> Secondly, during the early period the Caliphs did not reserve any lands for themselves, or even for their sons. Thirdly, except in the case of the Prophet, it was not loyalty to the person of the Caliph that made one entitled to an award; it was either in appreciation of one's services in the cause of Islam or winning over one's whole-hearted support for the Muslims.<sup>49</sup> Fourthly, these lands do not seem to have been occupied by anybody because there are hardly any reports of legal proceedings or disputes on the issue, even after the death of the Caliphs concerned.<sup>50</sup> The fifth point pertains to the nature of land allotted to them. Even the later geographers do not give sufficient indication as to whether these lands were barren at the time of allotment. In the context of a large part of Arabia it is understandable that due to scarcity of water, cultivable lands were scarce. Yet there seems to be no point in awarding such barren lands to people as 

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46. A.U., 676.

47. Sad, III, 1, 72; Bal., 272-73.

48. Bal., 102.

49. 'Uthmān has been made a point of polemics on the issue of giving lands to his kinsmen, but the list of allottees does not justify any such view. (cf. f.n. 39, 40).

50. During 'Umar's time, we come across one such dispute when Sa'd gave the land of one Banū Rūfayl to Sa'id. The original occupant who had a treaty complained to 'Umar and got back his land (Yah, 184).



have no easy prospects of reclamation or rehabilitation. It is, therefore, believable that most of the lands in Arabia allotted to them were marginal lands and required some additional inputs to give a satisfactory amount of yield by way of a farm or a garden. Had it not been so the Medinans would not have been prepared to exchange their lands in Iraq with those in the Hījāz and Yemen during 'Uthmān's caliphate.<sup>51</sup> The rush for lands in the Hījāz was so brisk that, fifty years after 'Uthmān, there was hardly any unoccupied plot left for Caliph 'Abd-al-Malik.<sup>52</sup> The sixth point that requires study pertains to the conditions of allotment. Historians clearly speak of allottees' ownership rights over these lands. It is reported by Wāqidī that a man requested the Prophet to allot him a stretch of land around his brother's grave. The Prophet awarded him a big tract of land and promised an equal area of land if he could work on it. This means that the first award was unconditional; it was the second which was promised by the Prophet, subject to the condition of work on the first - it was an incentive to work. Throughout the early period, there are numerous instances of transfer of these lands through purchase, sale, inheritance and gift. Abū-Bakr himself offered his land for clearing his debt to the Bayt-al-Māl.<sup>53</sup> This adjustment was possible only when he had ownership rights over his land. Historians have reported a number of transactions involving transfer of these lands by different ways.<sup>54</sup> Such transfers

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51. Bal., 359, 360.

52. Bal., 359.

53. Sa'd, III, 1, 132.

54. Waq., 690, 694, 719, 720; Bal., 26 &c.

continued throughout the later period and no ruler, scholar, or jurist ever objected to it.<sup>55</sup>

In the pre-Islamic days one of the ways of acquiring ownership was reviving unoccupied dead land. This was confirmed in Islam as an entitlement to occupation. The Ḥadīth narrated by 'Urwa in context of a suit supports this practice.<sup>56</sup>

In the early period of conquests, agricultural lands were not allotted in the conquered territories. Cantonments were, however, built for the army, and soldiers were allotted lands for housing. 'Uthmān, and after him the Umayyad rulers, started giving away lands in these regions. The land in the subjugated territories consisted of two broad categories: (1) treaty lands conquered without war, and, (ii) lands conquered by force. The first category was governed by the terms of treaty, but treated to be a common property of the Muslims (Fay) and hence inalienable, while the second category was treated as state owned. They included lands under cultivation, as also the arable waste or barren. Of

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55. It is interesting to note that when Ibn Hubayra tried to pick out in Hījāz a piece of unallotted land for the Caliph, he came across a tract which was not allotted under any registered (or recorded) deed and asked as to who it belonged. A man came forward and claimed his ownership over it. "How did you get it?" he asked the owner. The owner recited a verse

ورثناها عن آباء صدق  
ورثناها أنا منّا بنينا

(We have inherited these lands from our forefathers and our children will inherit them after we die). (Bal., 359-60). Ibn Hubayra was so much disgusted with such things that he withdrew from his effort.

56. Yah., 289. For other Ḥadīths on the subject see Chapter 2.



these the latter were unoccupied and were generously allotted. The lands of the protected people were generally treated as landlord's and were not re-allotted to anybody. 'Umar made the Fay lands inalienable.<sup>57</sup> 'Uthmān allotted government owned land.<sup>58</sup> But later on the line of this distinction was often violated.

The practice of generous allotment of land began with Mu'āwiyā and the most frequently used name is that of Mu'āwiyā's own. It was for the first time that the ruler himself became interested in extensively adding to his fiefs in all his dominions. First of all he took over Fadak as his chosen property (ṣafī) to bestow it upon Marwān, his Governor at Medina<sup>59</sup> and the lands in al-Ghūṭa which belonged to one, Ibn Fūqā who was heirless.<sup>60</sup> He also added to his properties by purchase, sale and gifts.<sup>61</sup> Many of his big tracts of land in Wāsiṭ comprised barren lands, water-logged areas and dense forests<sup>62</sup> which could be reclaimed only at the expense of the public exchequer. Such tracts of land were spread throughout Iraq, particularly those owned by the emperor and the royal family of Persia, and were chosen by the Umayyad rulers, for themselves and their kinsmen, and allotted to their officials, favourites and general public. The provincial governors were also at liberty to give fiefs to whosoever they wished. Lands were also allotted in appreciation of one's meritorious services

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57. Yah., 136-38, 156-7, 168.

58. Infra.

59. Bal., 46.

60. Sh. 13.

61. Bal., 48, 49, 68; Bukh (Waṣīyya), 17; I.A.H.(M), 132-3; Dh.(Tar), 2, 289; Kathir, 8, 28.

62. Bal., 288.

to the government or for humanitarian considerations. The number of all these kinds of awards had assumed abnormal proportions by the end of Umayyad rule.<sup>63</sup>

From the above discussion the Islamic approach to the question of the private ownership of land and the role of the government in this respect would have been clear. Land is a free gift of nature, and when private ownership of land is regarded as permissible in Islam, the permissibility of the private ownership of man-made means of production is beyond doubt. But this should not be taken to mean that ownership of man in the early Islamic period was treated to be an absolute right. The Prophet is said to have rejected interdiction of salt and water.<sup>64</sup> By these two things he seems to have meant the natural resources which have great value in use for the general public. That is why he is reported to have cancelled the allotment of a salt mine which was bestowed upon Abyad b. Hammāl earlier.<sup>65</sup> He also prohibited the cutting and burning of the bushes by the public within twelve miles, and hunting within four miles of Medina, with a view to supporting the livestock wealth of the community.<sup>66</sup> There are valid reasons to believe that this prohibited area also included privately owned land. Umar appointed a guard to stop and punish anybody pulling or cutting off branches of trees in or around Medina.<sup>67</sup> Over and above such protective measures the government had the

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63. Bal., 153, 185, 209, 280, 355-62; A.U., 693; Tab., 2, 843, 1641.

64. Yah., 345.

65. Yah., 347; Tir., 6, 149-50.

66. Kh., 59.

67. Bal., 22.



right to reserve for state purposes any suitable plot of land or to take away from people their lands or houses in the public interest. 'Umar, 'Uthmān, and some later rulers wanted to extend the prophet's mosque in Medina and they took over the adjacent houses to demolish for expansion of the mosque. The owners were forced to surrender their houses and compensation was paid to them.<sup>68</sup> The people of Fadak were exiled from their lands after they had been paid compensation for their respective shares in the land.<sup>69</sup> Reservation of land for state purposes had started in the Prophet's own time. The authority on any such reservation, as explained in the Ḥadīth, is vested in the state only. The Ḥadīth reads like this: "The authority to reserve a pasture (Himā) rests in God and His Prophet."<sup>70</sup> Here again the words God and His Prophet refer to the authority of the state. The Prophet reserved Baqī' as grazing farm for state-owned camels and horses.<sup>71</sup> The principle underlying this reservation was occupation of a part of land which was generally inaccessible to private grazing cattle, although open to the cattle of the poor.<sup>72</sup> There was already a protected area in Tā'if and the Prophet had appointed Sa'd administrator of that Himā.<sup>73</sup>

A protected area was also declared in the Yemen for the horses, camels and other livestock of the people of that

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68. Tab., 1, 2011; Bukh, (Khuṣūmāt), 7.

69. A.U., 24. Waq., 707.

70. Buk (Musāqāt), 18; A.U., 727.

71. Bukh (Musāqāt), 18; Waq, 425; Bal., 23; Sa'd has given the name of the place as Gubā (II, 1, 68).

72. Waq., 425.

73. Waq., 973.

region.<sup>74</sup> Abū-Bakr extended the protected area by adding Rabdha. The policy of discriminating between small herds and big herds continued. 'Umar expressly advised the official in charge of these areas to drive away the cattle of the rich owners like 'Uthmān and 'Abd-ar-Rahmān, but allow those of the poor.<sup>75</sup> Although there is no mention in history of the practice of protecting lands in the later period, yet because of the expansion in armies and increased government interest in maintaining its armed strength, the practice can be presumed to have grown.<sup>76</sup> The assumption is also supported by the fact that 'Umar II ordered all protected lands to be thrown open to the general public.<sup>77</sup>

Instances of the government's taking over lands which were the rightful property of individuals are many more than those of lands converted into protected areas. 'Umar withdrew the land of Sawād from Bajīla who had been, according to agreement, given a quarter of the territory.<sup>78</sup> Historians have described these lands which were taken over by the government and treated as state property in Iraq.<sup>79</sup>

1. Forests.

2. Ponds and pools.

3. The lands of the Persian emperor and his kinsmen and courtiers.

4. The whole of Dayr Yazīd.

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74. Tab., 1, 1879; Sad, III, 1, 220; 5, 6.

75. Kh., 60; He also added Sharaf as protected area for camels (Sad, III, 1, 220).

76. Literary works seem to be the alternative source of finding the details of this practice. Aghānī, for example, writes about an official who was in charge of Hīmā in Kufa, 5, 137.

77. Sad., 5, 281.

78. Kh., 18; Bal., 267.

79. Bal., 272.



5. The lands of the killed Persian soldiers.

6. The lands of the fugitives, etc., etc.

As a matter of precedent the lands of Sawād and Egypt should have gone to soldiers who conquered them, but 'Umar, instead of so distributing them, converted them into collective ownership of the Muslims and took over their management.<sup>80</sup> In addition to this forced collectivization of some lands the condition of a proper use of land was imposed. While the conventional law of the ownership of dead land was practically recognised,<sup>81</sup> 'Umar put the condition of using the land within three years of its taking possession, failing which it was left open for anybody else who could revive it.<sup>82</sup> Ziyād, Governor of Iraq (under 'Alī and Mu'āwiya), who normally gave not more than sixty jarībs<sup>83</sup> of land, reduced this period to two years<sup>84</sup> presumably because of the increased government interest in providing development facilities. But whether or not land was really confiscated on account of its non-revival during the later period is not known.

To sum up, private ownership of land was practised throughout this period. Lands were given by the Prophet and his successors with rights of use and transfer of the title. At times the absolute right of ownership was taken away by the government and conditions and restrictions on their use or transfer were imposed in the larger interest of the

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80. Tab., 1, 2468; Bal., 265; Yah., 49; I.A.H.(M), 82; Maq.(Kh), 1,166.

81. Supra.

82. Yah., 247, 287, 294.

83. Bal., 357.

84. Bal., 356.

community. Lands were also collectivized and nationalized. Government alone had the right to reserve any stretch of land as protected area for government purposes. Private ownership of public utility lands was in no case recognised.

An analysis of the cases of seized and taken over lands suggests that such measures were taken,

i. if the allotment was temporary or for a stipulated period as happened in the case of ~~as~~-Sundar who alone was allotted a tract of land in Egypt by 'Umar, the land having been restored to the state after the allottees death.<sup>85</sup>

ii. if the government enacted an amendment in the rules of allotment of land in some area as was done in the case of Banū Bajīla.<sup>86</sup>

iii. if the land was not used by the occupant within the prescribed period.<sup>87</sup> Specific cases are not reported,

iv. if the allottee failed to pay the revenue due from him, as happened in the case of Hilāl of Banū Muta'an who was allotted a hilly tract by the Prophet on some payment converted into a regular condition for continued occupation,

v. if the interest of the state so demanded as was done by 'Umar in the case of the people of Najrān and Fadak,<sup>88</sup> and

vi. if the good of the community so required as frequently happened over the expansion of the Prophet's mosque in Medina.<sup>89</sup>

It must be noted that while the government took over

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85. I.A.H.(M), 138.

86. Supra.

87. Supra

88. Abu Daud, 2, 146, 147; Tin, 3, 124.

89. Supra.



these lands, it paid compensation only in the last two cases - in one the government had a commitment to the protected citizens under a treaty, and in the other, it seems, investment of labour and capital in building of houses was also involved.<sup>90</sup> In none of the other four cases does compensation appear to have been involved.<sup>91</sup>

Curtailement of absolute rights was not only practised in case of land, it was also practised in the case of other economic activities. The difference is that in the latter case, rights of ownership, if once given, were not withdrawn. What the government did was to control and regulate the economic activity in such a way as could achieve the object of a just socio-economic order. As a result, trade and commerce were subjected to the principles of the Qur'ān and the Ḥadīth. Trades which are unlawful in Islam<sup>92</sup>

90. Supra.

91. While Bajīlā surrendered land 'Umar advanced him eighty dīnārs and fixed pensions for the people of his tribe (Kh., 18, Bal., 268).

Eighty dīnārs cannot be regarded as compensation of a quarter of the area of Sawad. As regards pensions, all the soldiers were entitled to it and after the people of Bajīlā joined other Muslims in war, they automatically became entitled to pension. Therefore pensions also could not be treated to be a compensation for land. The story of an old lady of Bajīlā who refused to surrender her portion of land unless 'Umar gave her an expensive camel and a handful of dīnārs (A.U., 155) is an exceptional case and only reflects 'Umar's leniency to the lady. It should not, however, be ignored that there is much time lag between this withdrawal of land and the beginning of pensions.

92. For this discussion see Chapters 1 and 2.

were banned. The Prophet's treaties with the Thaqīf, Hawāzin and the people of Najrān required a ban on the practice of interest.<sup>93</sup> Use of or trade in wine was declared unlawful for the Muslims, and the Prophet was not ready to relax this law even in the case of the derelict orphans who possessed no other property.<sup>94</sup> Transactions involving uncertainty and any possibility of dispute, as were banned in the Ḥadīth, were also banned. The Prophet not only appointed an inspector to ensure that the unlawful transactions were avoided,<sup>95</sup> but also himself visited the market, advising the traders to observe moral principles in trade.<sup>96</sup> Sometimes he would thrust his hand into a heap of corn for sale to check up if the quality of the corn deep inside was the same as outside. He would take serious notice of any fraudulent practice in transactions.<sup>97</sup> His successors were also active in controlling trade and commerce. 'Umar not only refused to accept wine by way of jizya<sup>98</sup> and to levy excise duty on the same; he went so far as to burn the house of a Muslim who used it as a wine shop and exiled another Muslim who sold wine.<sup>99</sup> 'Alī once put a whole village on fire after receiving reports that it had become a den of drunkards.<sup>100</sup> 'Umar II prohibited the transport of wine from one town to another.<sup>101</sup> Government was also

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93. A.U., 469, 506; Bal., 67. The first two tribes wanted the Prophet to permit it for them after they embraced Islam.

94. A.U., 281; Bal., 67.

95. A.U., 184-87; Mus., 10, 169.

96. Tir., 6, 39.

97. Tir., 6, 35.

98. A.U., 128.

99. Sad, III, 1, 202.

100. A.U., 268, 279, 280.

101. Ibid.



vigilant in stopping adulteration. 'Umar prohibited mixing of water in milk.<sup>102</sup> Practice of interest was prohibited not only for the Muslims but also for the non-Muslims. Violation of this law is stated to be one of the reasons for the exile of the people of Najrān.<sup>103</sup> It is curious to note that there are no reports of 'Umar's imposing a ban on the sale of ration cards which he had issued and which were only an entitlement to receiving a certain quantity of provisions. The objectionable aspect of this transaction was the sale of a commodity before actual possession of the same. Some individuals are reported to have withdrawn from the sale proceeds of these cards when they came to know of their unlawfulness.<sup>104</sup> The practice was, however, strictly banned by Marwān who deputed policemen to seize such cards and hand them back to the owners.<sup>105</sup> 'Umar, in the national interest, forbade the Arab Muslims to till the soil and wished to prevent their adoption of settled life with a view to retaining them as soldiers.<sup>106</sup> Coinage was not the concern of the early Islamic state. Later on, however, when coins were minted the state took steps to control their quality. The minters were generally the authorized dealers and money changers,<sup>107</sup> and serious action was taken on detecting any dishonesty or fraud in this business.<sup>108</sup> Hajjaj nationalised this trade in Iraq and similar was, perhaps, the case in Syria; but it is not sure if private minting was altogether abolished throughout the empire.

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102. I.A.H.(U), 22.

103. Bal., 77.

104. I.A.M.(M), 166.

105. Ibid. Possibly during Marwān's Governorship of Medina.

106. I.A.H.(M), 162.

107. Bal., 455.

108. See note on coinage for full discussion.

'Umar II is reported punishing an unauthorized minter and burning his die.<sup>109</sup>

While the Prophet himself did not like the imposition of any controls on prices, the later rulers did not leave the consumers at the mercy of the businessmen. 'Umar kept himself informed of the price situation even in the remote parts of his dominions.<sup>110</sup> 'Uthmān used to discuss the price situation just at the time of congregation.<sup>111</sup> 'Alī used to personally visit the market and enjoin fair dealing on the traders.<sup>112</sup> Ziyād, the governor of Iraq, was vigilant over the price situation and gave severe punishments to those who unjustifiably increased prices.<sup>113</sup> A similar policy was adopted generally by Umayyad rulers.<sup>114</sup> Walīd also visited the market but whenever he found that prices were unreasonably low he advised the traders to increase them.<sup>115</sup> 'Umar II in this respect was an exception who would leave the prices of agricultural goods to a free operation of the forces of supply and demand. He adopted the same policy in regard to trade when he wrote to his governor: "God has made land and waters for seeking His bounties. So let traders travel without any intervention. How can you intervene between them and their livelihood."<sup>116</sup> Anyhow, he disfavoured trading by the ruler. He wrote to one of his governors: "I am of the view that the ruler should

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109. Bal., 455.

110. Tab., 1, 2718.

111. Sad, III, 1, 40.

112. Sad, III, 1, 17; Bal., 257.

113. Kharbutlī, 366.

114. Ibid.

115. Tab., 1, 1271.

116. I.A.H.(U), 98 (pertains to lawful trades only)



not trade. It is (also) not lawful for the officer to trade in the area of his office (fi sultānihī...), because when he involves himself in trade he inadvertently misuses his office in his interest and to the detriment of others, even if he does not like to do so."<sup>117</sup> 'Umar II also disallowed people employing others in risky jobs. He wrote to his governor about mines: "As I considered over it I found that gain in mining was but particular (Khāṣ) but its harm was general ('Ām) so stop people from working in mines."<sup>118</sup> He wished to standardize the weights and measures throughout his dominions (yakūna wāhidan fī jamī' al ard kullihā)<sup>119</sup> but he perhaps could not. However, there are reports to suggest the appointment of inspectors (Nāqid) at different places who checked the weight of the coins.<sup>120</sup> He advised his governor of Egypt to ensure that a camel was not overloaded.<sup>121</sup> The report that the Prophet forced the Muslim soldiers to return the captives of Hawāzin<sup>122</sup> suggests the power of the state to use even compulsion in certain circumstances.

The restrictions on different trades and activities since the beginning gave rise to the institution of Hisba, (inspection) and the Muhtasib (inspector) enjoyed wide powers to intervene in all situations which were found injurious to public interest.

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117. Ibid., 98-99.

118. Sad., 5, 281.

119. I.A.H.(U), 98.

120. Karmalī: Nuqūd, p.12. Cf. Kharbutlī, 374.

121. I.A.H.(U), 160.

122. See Chapter 6 for full discussion.

The above discussion gives an idea of the government's role in the whole field of commercial activity and suggests that Islam from the very beginning did not leave the various economic factors to operate absolutely freely. It exercised effective control to ensure their operation within the limits of the Sharī'a and for the maximum benefit of the community.



PART II

THE BAYT-AL-MĀL

## CHAPTER 5

## THE CONCEPT AND THE EARLY HISTORY

The concept of public finance as a separate subject of study in modern economics is not very old. But in Islam the concept occupies a very important position, and it is because of this fact that books on this subject are some of the earliest books written in Islam.<sup>1</sup> They discuss the subject as copiously as can be conceived of a scholar of that age. This concept is signified by the term Bayt-al-Māl which is not only the nomenclature of a treasury but practically of an institution.

The question as to whether Bayt-al-Māl was set up by the Prophet is generally discussed by historians and scholars in terms of premises where large quantities of goods and incomes are dumped and taken out. But the question of premises in deciding about the history of its inception seems to be irrelevant. The more important question is to examine if the concept of Bayt-al-Māl, its items of income, its heads of expenditure, its rules of operation were known to and practised by the Prophet or not. If it was so the institution of Bayt-al-Māl was initiated by him whether or not he had set apart any premises for it. The concept of Bayt-al-Māl and the major items of its income and expenditure were all provided in the Qur'ān and the Prophet practised on those lines with the scanty funds that were made available to him. Moreover, when the Prophet is reported to have asked his personal attendant Bilāl to take with him Jābir

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1. See Introduction.



and pay him the price for his camel<sup>2</sup> which the prophet had bought; or when he called for Maḥmīyya, the incharge of his Khums property to advise him to pay the dowry money on behalf of two of his relations<sup>3</sup> he seems to have had some other place than his own house, which was used for keeping money and Khums properties.

Since the occupation of Banū Naḍīr the Prophet had a source of regular income. But this income can be treated as negligible in view of the requirements of the simply-run city state of Medina which was surrounded by blood-thirsty neighbouring tribes. As a result ad-hoc funds were raised in the event of emergency. In the case of incomes by way of Fay' and Khums, the requirements of their distribution were too pressing to leave any balance. In spite of this unenviable financial situation the Prophet implanted in the minds of his followers a concept which could not be obliterated till the end of the period under study. This was the concept of trust; the wealth of Bayt-al-Māl to be treated as God's wealth, 'Māl-Allāh' or the Muslims' wealth, 'Bayt-Māl-al-Muslimīn' as against the imperial treasury or the emperor's wealth. This concept implied that the monies paid into the Treasury were God's trust and the common property of the Muslims and that the ruler was only in the position of a treasurer, whose duty it was to expend them on the common concerns of Muslims while himself retaining a fixed stipend. This concept was practically adhered to by the pious Caliphs but accepted only in theory by the later rulers.

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2. infra.

3. infra.

The concept seems to have attained an emotional sanctity in the early days. 'Umar tried to explain the different aspects of this concept on different occasions. For example he is reported to have observed:

"There is no Muslim who has no right in this Fay (public wealth) except what your right hand possesses."<sup>4</sup>

"It is my endeavour to satisfy all the requirements of the Muslim as far as possible. But if we fail to do so we shall try to practise austerity in our life so that we all may have a similar standard of living."<sup>5</sup>

"I did not find the betterment of this māl (wealth) except in three ways:

(i) It is received by right, (ii) It is given by right, and (iii) It is stopped from wrong. As regards my own position vis-a-vis this wealth of yours; it is like that of a guardian of an orphan; If I am well off, I shall leave it, but if I am hard-pressed I shall take from it as is genuinely permissible."<sup>6</sup>

"I have become an obstruction between you and your sources of earning. Whosoever among you has any wealth, he has it at our disposal. So nobody should treat a saddle or a rope or a string as a valueless thing. It is the wealth of the general Muslims. There is not a single Muslim who does not have a share in it. When these goods are in individual ownership they are valued; but when they become the common property of the Muslims they are treated as valueless, being God's wealth."<sup>7</sup>

With this concept in his mind when 'Umar found that Abū-Hurayra, his collector of Zakāt, had also invested his personal earnings in business and added to his wealth he chid him as a thief of God's wealth.<sup>8</sup> 'Alī was all the more rigid in his behaviour with Bayt-al-Māl. He is frequently found quoting a Ḥadīth that it was not permissible for the Caliph to take from God's wealth except two portions:

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4. Yah., 15. 'What your right hand possesses' means slaves.

5. Tab., 1,2368.

6. Qut., 75.

7. A.U., 663.

8. A.U., 665.



the one which he and his family would eat and the other which he laid before the people.<sup>9</sup> The concept of the right of the entire Muslim community to the Bayt-al-Māl was so much emphasised that on this point Abū's-Sawdā succeeded in cajoling Abū-Dharr to rise up against Mu'āwiyā, the Governor of Syria under 'Uthmān. Abū's-Sawdā whispered, "Mu'āwiyā calls this wealth as God's wealth, which means he does not think Muslims have any right to it." Abū-Dharr called on Mu'āwiyā and criticised him on this point. Mu'āwiyā said: I shall not accept that it is not God's wealth but, anyhow, I shall now call it the Muslims' wealth.<sup>10</sup> Ibn 'Umar once called on Caliph Mu'āwiyā who asked him about his impressions as to the constructions he (Mu'āwiyā) had made in Damascus. Ibn 'Umar's prompt reaction was: "If you have spent it from God's wealth you have committed breach of trust, but if it is from your personal resources even then you are spendthrift."<sup>11</sup> 'Abd-al-Malik criticised his rebel Ibn Zubayr in these words: "He was not competent to be a politician while he spent God's wealth as if it was his father's bequest."<sup>12</sup> By this 'Abd-al-Malik meant Ibn Zubayr's niggardliness in spending among the Muslims. When Ḥajjāj, the governor of Iraq, reported against Muhallab he wrote to the Caliph: "Muhallab has embezzled God's wealth."<sup>13</sup> When Yazīd was made the governor of Khurāsān, he asked his predecessor to furnish the accounts of God's

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9. Kath., 8, 3.

10. Tab., 1, 2859.

11. Yaq., 2, 221.

12. Yaq., 3, 20.

13. Tab., 2, 1213.

wealth."<sup>14</sup>

It seems that the Muslim community throughout this period was very much sensitive to this concept. It was treated to be a justifiable point of rallying against any ruler. During the battle of Siffin a man came forward to address the opponents of 'Alī and inquired in a tone of astonishment if 'Alī had misused Fay', the public wealth.<sup>15</sup> One of the points the Khārijites insisted as an argument for their rebellion was the rulers' misuse of public funds.<sup>16</sup> The public could not be pacified even if the misuse of funds was made for the sake of an apparently good cause. For example, when they came to know that Walīd had spent fabulous amount on the reconstruction of the mosque of Damascus they criticised it as an expenditure without a justification. Walīd could hardly silence them by arguing that he had a balance in the Bayt-al-Māl which was sufficient for the next three years and that he had spent this amount from his personal resources.<sup>17</sup> The unjustifiable use of public wealth seems to be one of the factors responsible for the overthrow of the Umayyad dynasty.

It was this concept that permeated the Muslim society and formed the basis of its behaviour and determined its reaction to any ruler. The more the concept with all its ensuing details was adhered to by a ruler the more popular he was and vice-versa. Yazīd III became conscious of the fact and announced a number of revolutionary changes in his

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14. Bal., 414.

15. Tab., 1, 3128.

16. Tab., 2, 984.

17. Kath., 9, 149.



governments attitude to the Bayt-al-Māl which is suggestive of the causes underlying people's dissatisfaction with the Umayyad rulers. Yazīd said:

"...I shall neither construct a palace, nor a house or a canal. I shall neither amass wealth nor give (special) allowances to my wife or children. I shall also not transfer money from one place to another unless the place has been well-protected and its people are given sufficient funds to strengthen themselves. If, then, there is a surplus, it will be transferred to the nearest city which is more needful of money. There will be no toll-tax along the border of your respective towns, that may put you in trouble. I shall also not levy the Jizya on your protected natives which compels them to leave you and destroy their race. I shall give you your annual pension and monthly subsistence so that the entire wealth is distributed among all the Muslims equally and so that the farthest from me among you may become like the nearest to me among you..."<sup>18</sup>

But unfortunately Yazīd III was too late to calm the people.

The "Constitution of Medina" put the financial responsibility of the different communities respectively on themselves during peace-time. "It is for the Jews to bear their expenses and for the Muslims to bear their expenses,"<sup>19</sup> was one of the conditions that were laid down in the charter of the early state. In case of war, however, the condition was different. "The Jews bear expenses along with the believers so long as they continue at war."<sup>20</sup> But the Jews were, perhaps, not supposed to make contributions to the financing of the expeditions which the Prophet continued with a view to effecting the economic blockade of the Quraysh.

But the problem of the Jews was short-lived. Even as long as they had been in Medina they seem to be reluctant to contribute their share. The Muslims, on the other hand were

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18. Tab., 2, 1834-1835.

19. Sira, 1, 303.

20. Sira, 1, 302; A.U., 517.

generally too poor to finance an expanding government.

It was in this background that the government endeavoured to organise itself. An appraisal of the early resources can be made by a study of the quantity of equipment of the expedition which the Prophet sent or led.

On the eve of the Muslims' first encounter with the Quraysh at Badr the Muslim army of 317 persons had only two horses with it.<sup>21</sup> Not all the fighting men had a share in ordinary camels to ride to the battlefield. They got some camels of the Quraysh by way of booty, yet it could not provide the whole army that was to be kept ready for any possible threat of retaliation from the enemy. That is why in the year 3 A.H. many of the wounded Muslims had no riding animals to return from Uhud.<sup>22</sup> When the Prophet beseiged Banū Qurayḍā the Muslim army had thirty-six horses. Later on the fifteen hundred fighters at Ḥudaybiya had only two hundred horses in the year 6 A.H.<sup>23</sup> The persecution and the exile of the Jews of Medina and the conquest of Khaybar and Fadak had greatly reduced the immediate pressure of the demand for army equipment and riding animals although it was still insufficient for a big army which could be deployed at Tabūk.

As regards the situation of finances for extra-military purposes it was all the more discouraging. Many of the zealous Muslims failed to accompany the Prophet in his journey to 'umrat-al-qaḍā simply for want of resources.<sup>24</sup>

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21. Waq., 27.

23. Watt, Medina, 46.

22. Tab., 1, 1428.

24. Maq.(Im), 1, 336.



In the year 8 A.H. a man is reported to have requested the Prophet for two hundred dirhams only, which he was committed to pay as dowry, but the Prophet could not afford even that much for him.<sup>25</sup>

The major source of finance during the Prophet's time was voluntary contribution to ad-hoc funds. This was a well-known way of financing social requirements. Even before Islam the Meccans provided free meals to the pilgrims by pooling up donations from their community and the institution was called Rafāda.<sup>26</sup> They even financed the Battle of the Ditch by raising contributions from all the tribes<sup>27</sup> who wished to wipe out Islam and the Muslims. There are stories to suggest that the Prophet too used to raise funds by a general appeal to the audience, or any particular group among them.<sup>28</sup> At the same time he would send his deputies to appeal to the absent Muslims. At some other time he would assign a specific purpose and ask the Muslims to donate for it. When there was a general shortage of water he asked his audience as to who would buy such and such a well. A gentleman offered to do so<sup>29</sup> and the purpose was achieved. When the people of Mudar called on the Prophet, he appealed to the Muslims to help them and thus they were helped.<sup>30</sup> The Prophet himself went to Banū Nadīr to collect funds for the blood-money of protected persons.<sup>31</sup> While he was besieging Tā'if he announced freedom for those enemy slaves

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25. Tab., 1, 1607.

27. Waq., 1, 389.

29. M.B.Y., 156.

31. Tab., 1, 1448.

26. Tab., 1, 1099.

28. Bukh. ('Ilm), 41.

30. Mus., 7, 102-104.

who would come to join him. A number of slaves came but the government had no means to support them. The Prophet, therefore, distributed them among the well-to-do Muslims as their guests.<sup>32</sup> Financing of the expedition of Tabūk was, perhaps, the most important one which the Prophet led. It was probably aimed at demonstrating the Muslim strength to hold on the adventurers in the north, and along with it a trial of the loyalty of the newly-converted tribes. No single Muslim was allowed to stay at home. All were required to donate their maximum to finance the expedition. It is reported by most historians that 'Umar brought literally half of his belongings, while Abū-Bakr swept away everything in his house. Wealthy 'Uthmān also rose equal to expectations.<sup>33</sup> It was such a large scale offer of donations that an army of thirty thousand men, including ten thousand horses, was fully equipped to advance.

In spite of being an important source of finance, voluntary donations were by no means a regular and certain source of income. Banū Naḍīr, a portion of Khaybar and Fadak, were the regular sources of income although they were made the Prophet's personal share.<sup>34</sup> In the last years of his life the Prophet also appointed collectors of Zakāt who were sent to different tribes for collecting Zakāt from Muslims and Jizya (poll-tax) from non-Muslims. Generally Zakāt was to be distributed where it was collected and could

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32. Sad, II, 1, 114.

33. Sad, II, 1, 114-19; Abu Daud, 2, 174; M.B.Y., 170.

34. Mus., 12, 70; Yah., 79, 81, 87; Bal., 33; Waq., 377-78.



hardly be a source of income worth any mention. Jizya was received in cash and in kind.<sup>35</sup> The importance of these sources can be presumed in the light of the report that the largest amount that the Prophet received under this head was eighty thousand dirhams from Bahrayn.<sup>36</sup>

Some of the less important sources of income were the ransom of the enemy captives and loans. While some of the poor captives of Badr were set free without any ransom, others had to pay one to four thousand dirhams.<sup>37</sup> The Prophet required Naufal to give one thousand lances by way of ransom.<sup>38</sup> There is no mention in history of any other ransomable captives than at Badr. The captives of Hunayn were set free without any ransom.<sup>39</sup>

After the conquest of Mecca, the Prophet had to distribute some money to the poor soldiers, send blood-money to the Muslims of Judhaymā, and further equip his army for operation against Hawāzin. He borrowed from Safwān, Huwayṭab and Ibn Rabī'a. He also borrowed some coats-of-mail and riding animals.<sup>40</sup> One of the conditions of the treaty with the people of Najrān was their advancing a loan of war equipment and horses in the case of any trouble from Yemen.<sup>41</sup>

Abū-Bakr was unfortunate to inaugurate his caliphate with a series of wars against the apostates who refused to pay Zakāt to the central government. Details of any new

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35. Bukh. (Zakāt), 34.

36. Sad, IV, 1, 9.

37. Waq., 129; Sira, 1, 402-3; Sad, II, 11.

38. Sad, IV, 1, 31.

39. Tab., 1, 1674 sqq.

40. Tab., 1, 1650-51, 1659; Waq., 1, 882, 889, 890; Sad, II, 108; Maq(Im), 1, 395.

41. Bal., 75, 76.

source of income during his period are lacking, except for the addition of some quantity of Khums (fifths) of the booty in 'Irāq and Syria. Voluntary contributions were not asked for. The Bayt-al-Māl was now shifted in the neighbourhood of the Caliph and was dumped with everything that was received by way of Zakāt, Jizya, Khums or land-tax. It is stated that during his short period Abū-Bakr received about two hundred thousand dirhams.<sup>42</sup> This probably does not include the goods received by way of Jizya, Khums or land-tax. Not long after the beginning of 'Umar's rule, the situation changed.

To sum up the above discussion, Ṣadaqa has been an important source of finance in the Prophet's time. Other sources of income were Zakāt, Fay', Khums or fifth of booty, and Jizya, or poll-tax.<sup>43</sup> Of these sources Ṣadaqa, though mostly depended upon, was an irregular and uncertain source while the incomes through 'fifths' depended on the nature of the expedition and the value of booty. The other sources were regular and increased with the increase in personal wealth and conquests. Loans and ransom may also be included as additional sources only to make some more items but their role was negligible.

The expenditure of the funds raised in the early period was confined to limited heads. The Prophet used to defray from Banū Naḍīr's properties his annual expenses and spend the remainder on emergencies, supplies and horses and arms.<sup>44</sup> The income from Fadak was reserved for wayfarers while that

42. Sad., III, 1, 152.

43. For the meanings and interpretations of these terms refer to Chapters 1, 2, 6, 7 & 8.

44. Yah., 86-87; Waq., 377-78; Mus., 12, 70. The property was also distributed among a few persons (Bal., 33; Tab., 1, 1453).



of Khaybar, he divided into three parts: two parts among Muslims and one part for the expenses of his household. What remained after defraying these expenses he returned for the paupers among the Emigrants.<sup>45</sup> But the expenditure of the Fay' property on all the kinsmen and similar other expenditure was treated by some to be confined to the Prophet but not his successors who were supposed to take away for their family only, but not for all their relations (dhawī'l gurbā). That is why the portion which he used under this head was, after his death, transferred to them, but the other portions were managed by his successors for defraying in those purposes which the Prophet used to do.<sup>46</sup>

While the Prophet's Fay' was spent on a few main heads, other incomes were spent on all the other requirements. The Prophet used the captives of Banū Qurayḍā in buying war material.<sup>47</sup> Another expenditure was the payment of wages of officials, although regular salaries were not paid to anybody.<sup>48</sup> It was the responsibility of the government to pay blood-money to those who were wrongfully killed by the Muslim army, or in a case where the culprit could not be caught. The examples of the former is Khālīd's onslaught on the people of Judhayma<sup>49</sup> and the killing of two persons of Banū 'Amīr,<sup>50</sup> and that of the latter is the payment of blood-money on the murder of 'Abd-Allāh b. Sahl whose murderer in

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45. Yah., 86,87; Waq., 377-78. 46. Mus., 12, 76-81.

47. Tab., 1, 1497.

48. Mus., 7, 137.

49. Waq., 882.

50. Tab., 1, 1650-51; also 1, 1448.

Khaybar could not be legally traced.<sup>51</sup> Payment of money to the visiting delegations and to the newly-converted influential persons was an additional head of expenditure.<sup>52</sup> Many newly converted Muslims, as also non-Muslims, were also given money mainly in view of reconciling their hearts to Islam (ta'līf al-qulūb) or attracting them to Islam.<sup>53</sup> In the later days when the position of the Bayt-al-Māl became relatively sound the government took upon itself the repayment of loans due from poor deceased persons. The Prophet promised: "If anybody leaves a bequest, it is for his relations; if anyone bequeathes a loan it will be on me."<sup>54</sup> One of the functions of the Bayt-al-Māl was also buying freedom of Muslim slaves. Salmān's manumission money was paid by the Prophet from the funds of the Bayt-al-Māl.<sup>55</sup> The Khums (fifths) money was also used to pay dower money of the prophet's relations.<sup>56</sup>

Abū-Bakr used the funds of the Bayt-al-Māl for the same purposes as was done during the Prophet's time. He was paid some salary from Bayt-al-Māl, although he later on advised his relations to reimburse the receipts from his properties.<sup>57</sup>

The most popular way of spending government incomes in these early days was their prompt distribution among the Muslims. People used to assemble whenever the government received anything in cash or kind and were given equal shares

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51. Tab., 1, 1448.

52. Bukh. (Jizya), 9; Waq., 715.

53. Waq., 959, 980; Watt, 348 sqq.

54. A.U., 540; Bukh (Kifālāt), 7.

55. Sad, IV, 1, 56, 57.

56. Sad, IV, 1, 40-41.

57. Chap. 3.



in distribution.<sup>58</sup> This method practically left no balance for any emergency expenditure the next morning. That is why the Bayt-al-Māl was found empty on the death of the Prophet as well as of Abū-Bakr. They only left for their successor a number of riding animals for fighters.

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58. Even the Muslim slave got equal share with free Muslims. A.U., 599, 603, 645, 646; Sad., III, 1, 129, 137, 151.

## CHAPTER 6

GHANĪMA AND KHUMS  
(Booty and Fifth)

Ghanīma or booty is a source of income which, like Zakāt, is to be distributed on those heads which have been specified in the Qur'ān. The function of the government in respect of both these incomes is treated to be that of a mere distributor. Four-fifths of the Ghanīma is to be distributed among the fighters, while the remaining one-fifth is to be retained by the government for specific purposes.

The fact that the Bayt-al-Māl is nowhere involved in collection and distribution of Ghanīma does not seem to justify its inclusion under the heading of the Bayt-al-Māl. But in spite of it, it is a fact that the government is treated to have wide powers in deciding about the method and the quality and quantity of distribution; and the fact that the Prophet sometimes distributed on a selective basis; that lands were not always distributed, that 'Ṣafī',<sup>1</sup> 'Nafal', and 'Salab' were often taken out of Ghanīma; that entitlement to Ghanīma was to be decided by the government, leading some of the later jurists to believe that distribution of Ghanīma was discretionary and not binding on the government, suggest that the government was not only an intermediary in distribution, but it exercised its function as a distributor of the funds which otherwise would be its property. Zakāt is also a fund in respect of which the role of the government is

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1. For explanation of Ṣafī and the following terms, see infra.



that of an intermediary - money and goods taken from a few are distributed among the other few - sometimes within the same community and sometimes outside. Yet it forms a permanent source of income to the Bayt-al-Māl. The difference between the two is that Zakāt is first transferred to the Bayt-al-Māl while Ghanīma is disposed of without involving any official or functionary of the Bayt-al-Māl. In any case these facts bring the subject of Ghanīma under the economic functions of state. It is included under the Bayt-al-Māl, firstly because in the early days of Islam Ghanīma and Khums had much bearing on relieving the burden of the Bayt-al-Māl and thus indirectly supporting it, and secondly, because a fifth portion of Ghanīma had always been treated as the right of the Bayt-al-Māl exclusive to Muslim fighters. It is also discussed here in order to avoid monotonous repetition of many events and statistics under two different headings.

While the Ghanīma share of fighters was a well-known and recognised fact in Arabia,<sup>2</sup> the Prophet did not relate it to the old Arab custom; he, like many other things, related it to the Judeau-Christian traditions. "God did not

2. For example some of the pre-Islamic poets describe about the practice in the following words:

Burrāq:- مَنْ جَمَعَ لِلدَّجَالِ مِنْ بَرِّمَلَانِ

Saffāḥ:- مَنَا وَآبُوا سَالِينَ وَأَعْمُوا

Bishr:- عَلَيْهَا رَجَالٌ يَطْلُبُونَ الْغَنَائِمَ

Zuhayr:- سَلَامَةٌ أَعْوَامٍ لَهُ دَغَائِمٌ

تَوَلَّى رَجَالٌ بِالْفَنَائِمِ وَالْفَنَى  
مَلَدُوا مِنْ الْأَقْطَابِ سَبْعَ رَكْبَةٍ

أَلَا لَدَّرَا عَوَالِيَهَا حَيْلٌ وَارِي  
وَسَبَّ لَهُ فِيهَا بَنُونَ رَتَبَتِ

Cheikho, pp. 146, 183, 322, 567.

legalise Ghanīma for any Umma except for mine."<sup>3</sup> This Hadīth suggests that the Prophet did not express his willingness to legalise it simply because it was an Arab practice, but because God had done him special favour as against the other Scriptuaries.

It is reported that when 'Adī visited the Prophet, the latter asked him if he received the one-fourth portion (al-mirbā') of Ghanīma from his tribe. When 'Adī confirmed it, the Prophet said: "Don't you know that it is not permissible in the religion of the Rukūs?"<sup>4</sup> an intermediate religion between Christianity and the Church of Saint John, professed by 'Adī.

The Arabs were not generally the followers of any Scriptures. They had set their own standards and values. It seems that some of them were also professional 'Ghanīma-hunters' who took part in third party wars only with the object of seizing Ghanīma. Wāqidī has mentioned one such person who wished to join the Muslims for the same purpose when they were marching towards Badr.<sup>5</sup>

In spite of the fact that the basic motivation of Jihād (holy war) comes from somewhere else, the economic element of Ghanīma as a motivating force has not been absolutely neglected. This element was not without justification for the people of a nascent state, who were surrounded by sanguinary, bellicose tribes, and who were long since used

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3. With similar sense: Bukh., (Ṣalāt) 84; Mus., 12, 53; Tir., 7, 42.

4. Sira, 2, 375.

5. Waq., 47.



to act on this motivation.

The concept of Ghanīma and Khums pre-requisites a state of perpetuity in successful Jihād operations. In case the whole world professes Islam or the enemy is too strong to be offended, or is inaccessible, Jihād will not remain possible and Ghanīma will cease to exist. It is not, therefore, a permanent source of income like Zakāt.

In the Qur'ān there occur different words to signify the different categories of booty. 'Fay' signifies wealth which is captured by the Muslims without involving active warfare. 'Khums' is that one-fifth portion of 'Nafal' (booty) which is apportioned for the Bayt-al-Māl before distributing anything among the fighters. After the 'Khums' is apportioned for the Bayt-al-Māl, booty is distributed among the fighters as against 'Fay' which the Prophet used for the benefit of the whole community. But it seems that in spite of this distinction, the Muslim historians have used the word 'Fay' to indicate both. For example, Ibn Hishām's heading about the 'Ghanīma' of Badr reads like this: 'A description of Fay' at Badr and of the captives'.<sup>6</sup> Similarly when Ibn Hishām says: "So Khaybar became a Fay' between the Muslims while Fadak was exclusively for the Prophet because they did not tread over (this land) with their horses and riding animals",<sup>7</sup> it clearly means that in the former case he is using the word Fay' which should have been used in the latter case. At another page Ibn Hishām says: "The Muslim

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6. 1, 391.

7. 2, 229.

women accompanied the Prophet to Khaybar and the Prophet gave something for them from the Fay' but did not give them a usual share in it."<sup>8</sup> Wāqidī also uses the word Fay' in the same sense when he reports "A man asked the Prophet for something from the Fay'. The Prophet said: 'I am not permitted to dispose of even a needle or thread from Fay'; I shall neither take nor give it'. Then a man asked for a scarf ('iqāl), the Prophet said: 'it will be given when the Ghanīma is distributed'."<sup>9</sup> Khalīfa b. Khayyāt has also interchanged the two terms while he describes the Ghanīma acquired at Jalūla.<sup>10</sup> Tabarī reports that "Hakam sent an elephant to 'Umar who returned it with the remark that the price (of this animal) should be distributed among those whom God has given it as Fay'."<sup>11</sup> It seems that some of the reports made on the authority of the Prophet have given sanction to use the word Fay' in a wider sense.

It will be noted that the Qur'ān (8:1) uses the word anfāl (sing. nafal) for Ghanīma as a noun while the verbal form of gh-n-m is used to indicate the same thing (8:41,67). But later on the word nafal in context of Ghanīma was treated to signify a different technical meaning. The derivative of gh-n-m as noun in the technical sense of Ghanīma is used only in the form of maghānim (4:93; 48:15,19,20) with its singular as maghnam, not Ghanīma. Similarly the word Fay' in the Qur'ān is used only in the verbal form: "mimma afā'"

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8. 2,232. For other examples see 2,173,225,241,320,324; 1,402.

9. Waq., 681.

10. Khalifa, 128.

11. Tab., 1, 2708.



Allāhu 'alayka", (whatever God has brought to your possession 33:50), and 'afā' Allāhu 'alā Rasūlihī' (God brought in possession of His Messenger, 59:67). Later on the jurists made a distinction between the different forms of the distribution of this nafal. Therefore, in order to avoid any confusion in the use of the language of history and the application of the terms the following terminological sense, developed in books of law, will be used: The term Ghanīma will mean what movable property is sequestered by the Muslim army, for distribution. Khums will signify the fifth which is to be transferred to the Bayt-al-Māl. Fay' is that enemy property which is retained and administered by the government. Nafal is that award which is made by the Caliph or the commander over and above the share of Ghanīma whether or not it was promised in advance. Salab signifies the items in personal use of the killed enemy, taken over by the killer. Ṣafī means what the ruler picks out, generally from the Ghanīma, for himself.

It is reported by the historians that the first Ghanīma was seized by 'Abd-Allāh b. Jahsh in his expedition against the Quraysh before the event of Badr.<sup>12</sup> It was natural for him to treat with the Ghanīma on the old Arab fashion and according to a report he did so. But another report suggests that he put off the distribution until the Prophet's approval<sup>13</sup> because, in the pre-Islamic days also, the chief of the tribe

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12. passim.

13. Sira, 1, 367-68; Sad, II, 1,5; I, 2,119.

was supposed to distribute it and retain a portion of it for himself. The pre-Islamic couplet

لك المربع منها والصفايا وحملك والنشيطه والمضرب

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sheds ample light on the different portions which the chief of the tribe conventionally retained. But before the event of Badr there was no Islamic principle respecting the use of Ghanīma. When they seized Ghanīma at Badr, they did not hesitate in using it, but it soon led to controversy<sup>15</sup> which was decided by the Qur'ānic Verses which in the first stage seized it from the Muslims and placed it at the disposal of the Prophet while shortly afterwards they were made entitled to it after 'one-fifth' share (Khums) was passed on to the Prophet for 'God and His Messenger'. It was the first Ghanīma which, according to their standard, could be treated as 'substantial'. According to Wāqidī "all the Muslims on their return had a ride, clothing and food, while at Badr they had only seventy camels and two horses."<sup>16</sup> The total value of Ghanīma or of Khums has not been given by early historians but Maqrīzī reports that

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14. (as-Sarkhasī; Sharh as-Siyar al-Kabīr. Hyderabad 1335 A.H., 2,12. Mirba', one fourth; Safāya, chosen 'pick'; Nashīṭa, a valuable 'catch' in the way; Fuḍūl, residual.

15. Sira, 2,2. According to Tabarī 1, 1334, the controversy arose as to the entitlement to Ghanīma. Muslims were in three groups. The first was chasing the fleeing enemy. The second was collecting Ghanīma and captives. The third was guarding the Prophet. Each group was pressing for its service to be of most genuine significance.

16. Waq., 1, 26.



it included 150 camels, 10 horses, arms, and hides.<sup>17</sup> Over and above the fifth portion taken out as Khums, the Prophet also apportioned for himself a share equal to others.

The total number of military expeditions which the Prophet despatched is reported to be about sixty-five, of which 27 were led by him. But most of these wars were purely of typical Arab fashion which proved to be decisive after a few skirmishes. Only in a few cases the enemy took refuge in forts. War on the enemy land also involved occupation of land after conquest. The significance of economic return from all the thirty-eight expeditions which were not led by the Prophet can be appraised with the fact that the cumulative figures of the number of camels seized by way of Ghanīma cannot exceed 3,000. The value of other goods and properties that were seized during these expeditions

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17. It is possible that Maq.(Im), 1, 94, might have come across a reliable source of information which is now extinct. But it is equally possible that he might have worked out an arithmetic calculation on the basis of Wāqidī's report, thus: Wāqidī says there was nobody who did not have a ride on his return while before it they had only seventy camels and two horses. Now supposing that the number of Muslims at Badr was not more than 340, and that the seventy persons already having a camel returned on their camels 1:1, 250 persons would be left without a ride. Leaving some margin for a few horses let us suppose 240 persons required a ride, 2:1. It means that they should have at least 120 camels, and eight horses for the remaining 10 persons, two of whom already have their own. This number should be arrived at after Khums is taken away which means  $(120 \times 5/4) + (8 \times 5/4)$  or 150 camels and 10 horses. If the report is really based on arithmetic calculation, many other variables may be possible with change in some hypotheses. For example 100 camels plus 25 horses if all the Muslims would go 2:1 as usual; or 200 camels plus 25 horses if the 70 camel owners would like to return in doubles as before, and so on.

is even less impressive. The impact of the distribution of Ghanīma could not, however, be insignificant in providing support to enterprising individuals. The Ghanīma only in a few expeditions was encouraging to these individuals and this provided stimulus to continue them. The Khums of the expedition of the Qarda is said to have amounted to twenty thousand dirhams; the remaining eighty thousand dirhams were distributed among 100 fighters at a rate of 800 dirhams per head<sup>18</sup> - quite a boom. But such cases were few and far between. Something was, however, better than nothing. As compared with these, the expeditions led by the Prophet were more paying politically and economically, and their additional significance lay in setting precedents which formed the basis of a number of laws. The expedition against Banū Qaynuqā' not only brought rich Ghanīma but also increased trade opportunities for the Emigrant traders because the former were traders or dyers.<sup>19</sup> Their properties were distributed among Muslims and the Khums thereof was passed on to the Prophet. Before the distribution of Ghanīma the Prophet chose for himself a few arms. This choice for the person of the Prophet was treated as Qasfī, chosen. Later on the conquests of Banū Qurayḍa and Khaybar added considerable resources to the Bayt-al-Māl and provided relief to the Muslims. The Ghanīma from Hunayn was the last rich addition to the properties of the Muslims and the Bayt-al-Māl during the Prophet's time, although the earlier

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18. Waq., 198.

19. Ibid., 178-79.



two also included houses, estates and agricultural lands.

Apart from the expeditions where active army action was involved, there were also cases in which the enemy surrendered without any war or offered to agree upon a treaty relationship before an army action was planned. The former lands and properties were treated as Fay' and passed on to the government in toto. The examples of such lands are Banū Naḍīr, Fadak and a portion of Khaybar. Communities in treaty relationship saved their properties from becoming Ghanīma or Fay' and were governed by the terms of treaty as they were.

As a general rule, the four-fifths of Ghanīma is to be distributed among the fighters, but there are instances of exceptions to the rule, as follows:

(i) Mecca was conquered by force, but it was not treated as Ghanīma or Fay'; it was accorded special treatment.<sup>20</sup>

(ii) Women are also reported to have taken part in most of the wars and helped the fighters in nursing, cooking and, in certain cases, defence as well, but they were not given a fighter's share.<sup>21</sup> They were, however, paid something by way of gift or remuneration.

(iii) Slaves of the fighters took part in active war and were given remuneration but not a share.<sup>22</sup>

The following categories of persons were also entitled to a share in Ghanīma:

(1) Non-Muslim allies if they took part in war. Wāqidī

20. A.U., 157-59; Sad, II, 1, 99; Bal., 51, and passim.

21. Tab., 1, 1586; Sira, 2, 232; Mus., 2, 190-92; Waq., 686-7.

22. A.U., 881; Sad, II, 1, 83, III, 1, 34; Waq., 104-5, 684.

has reported about ten Jews who were fighting with the Prophet against the people of Khaybar and whom share in Ghanīma was given.<sup>23</sup> Safwān b. Umayya, still an unbeliever at Hunayn, was among those who received a lion's share, perhaps by virtue of being the leader of an allied contingent.<sup>24</sup>

(ii) Fighters who were exempted from taking part in war due to illness or injury during war time.<sup>25</sup>

(iii) The man who was negotiating a peace treaty with the people of Fadak.<sup>26</sup>

(iv) The fighters who were killed during war operations.<sup>27</sup>

(v) The situation of Badr in this respect enjoyed a unique position in which Ghanīma was also distributed among those persons who were not present on the occasion. Wāqidī has mentioned only four such persons who included:

(1) the one who was persuading others to go to Badr.

(2) the one who was prepared to go but fell ill on the eleventh hour and then died.

(3) Two Anṣār, Helpers<sup>28</sup> (reason has not been given).

But Ibn Sa'd has provided us with some more details about such persons. He gives a list of the following eight persons who were given a share in Ghanīma:-

1) 'Uthmān, whom the Prophet left in Medina to nurse his wife.

2,3) Two persons who were tipped for espionage.

23. Waq., 684. Wāqidī (ibid) has also quoted another opinion that they were given something by way of remuneration and not a share, but A.U.(518) supports only the former view.

24. Waq., 943.

25. Waq., 684.

26. Ibid.,

27. Waq., 102, 522, 684.

28. Waq., 101.



4,5) The Prophet's two deputies, one appointed over Medina while the other was over Upper Medina, 'Āliya.

6,7) Two persons who became worn out and returned.

8) One whom the Prophet stopped for unknown reasons.<sup>29</sup>

Each of the above-mentioned eight persons was given an equal share in Ghanīma. The captives of war were distributed by lot. Most of the reports suggest that a horseman was given three times as much as the infantryman.<sup>30</sup> The total amount of Khums that was transferred to the Bayt-al-Māl is not given by early historians. But if we accept Maqrīzī's statement about the total quantity of Ghanīma<sup>31</sup> the Khums will amount to thirty camels, two horses, and some arms, over and above a share in the captives.

The above principles of exceptions and entitlements were followed later on too.

While the above points give a list of entitlement to a share in Ghanīma, the following points elaborate the properties for and the method of distribution during the Prophet's time:

1) As already stated, land was involved only in the case of a few expeditions. The properties of Banū Nadīr, Banū Qurayḍa, Ghatafān, Banū Tamīm and the lands of Wādī'l Qurā, Baḥrayn, Yamāma, and Khaybar were taken over either as Ghanīma or as Fay'. But the distribution of land among the fighters was effected only in the case of Khaybar.<sup>32</sup>

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29. Sad, II, 1,6.

30. Sira, 2, 173; Tab., 1, 1497; Kh., 10.

31. Supra. fn.17.

32. Kh., 38.

2) All the movable properties of the enemy were distributed.

3) It was prohibited to sell, remove, or use the properties of Ghanīma before distribution. Food and fodder were the only exemptions.<sup>33</sup> According to Wāqidī's opinion, food, fodder and hides were also not subjected to Khums.<sup>34</sup>

4) Ghanīma arms could be borrowed before taking out Khums and before distribution. They were, however, returnable after the war was over.<sup>35</sup>

5) Ghanīma properties were generally collected at one place. The Prophet, if he liked, would take any select article for his personal use (ṣafī) or for awarding it to anybody (Nafal) or for both. Then Khums was set aside for the Bayt-al-Māl.

6) The remaining portion was then distributed among those entitled to it. Sometimes the properties were put to an open auction and sold to the highest bidders. They could pay the price out of their share of Ghanīma. This meant that each share of Ghanīma was, in such cases, determined and calculated in terms of its monetary value. This technique is reported to have been adopted in respect of the household goods of Banū Muṣṭaliq, Banū Qurayḍa and in Khaybar.<sup>36</sup>

7) Distribution was generally made by giving cash or properties to individuals or by organising them into pools and giving a share of a pool for mutual adjustment into

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33. Sad, II, 83; Sira, 2, 230; Waq., 664.

34. Waq., 665, 680.

35. Waq., Ibid.

36. Sad, II, 46, 56, 78; Waq., 521, 665.



smaller units. This practice is reported to have been adopted in the case of properties of Banū Qurayḍa as also those of Khaybar.<sup>37</sup>

8) The Ghanīma lands of Khaybar were divided into eighteen portions and each portion was collectively allotted to one hundred fighters, one of them being made responsible for the distribution of its income and produce to its respective group.<sup>38</sup>

9) While equal distribution of Ghanīma was generally made, there are also instances of favoured treatment with some.<sup>39</sup>

10) If the Prophet wished to distribute something only among a limited group of persons, he used to get the approval of the group to be deprived. This he did in the case of the property of Banū Naḍīr which he distributed only among the Emigrants, as also in Khaybar wherein he included in the Ghanīma some late-comers, too.<sup>40</sup>

The distribution of the Ghanīma of Ḥunayn among the Quraysh by way of reconciliation of hearts (ta'līf al-qulūb) has involved controversy as to whether it was made from the Ghanīma or from the Khums. And the reason of the controversy is the report that the Anṣārs were aggrieved over it. Whether reconciliation of hearts is also a head of Khums expenditure has not been pointedly discussed by jurists. The Qur'ān specifically gives only five heads of expenditure of the Khums property. Yet the Prophet's example suggests that the ruler had the authority to spend it for other

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37. Waq., 521,665; Sad, II, 82-3; Bal., 38.



38. Waq., 689-90.

39. Sad, II, 61,83,85.

40. Yah., 92; Sad, IV, 2.54.

objects too - he bought war material from Khums income. But if it is admitted that the distribution among the Quraysh was made out of Khums while Ghanīma was distributed among all other fighters as also among Anṣārs, the grievance would simply become a matter of grudge. A proper interpretation of the stories cannot be possible unless the facts are critically examined because it is the reporting of details that is responsible for confusion.

It is reported that Banū Hawāzin and their allies, with a strength of twenty thousand fighters, advanced along with their belongings and families against the Muslims. After a couple of skirmishes they took to their heels and the Muslims seized large quantities of Ghanīma which they had left - valuables, camels, livestock and captives. According to Wāqidī and Ibn Sa'd, the Muslims seized the following quantities.

1. Captives	6000	
2. Camels	24000	
3. Sheep/goats	40000 or more	
4. Silver	4000 ṣawqiya.	

The Prophet distributed large amounts of ex gratia per head to many newly-converted Muslims of Mecca (perhaps also to some unbelievers). Tabarī has given a list of eighteen persons,<sup>41</sup> most of whom have been listed by Ibn Sa'd, too.<sup>42</sup> Ibn Hishām, on the basis of different authorities, has given a total of thirty-eight names.<sup>43</sup>

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41. Tab., 1, 1679 sqq.

42. Sad, II, 110.

43. Sira, 2, 320-22.



Almost all these sources inform that the Prophet awarded 100 camels each to most of them. Other Muslims got 4 camels or forty sheep/goats each. Captives were also distributed among the fighters. A horseman was given triple the share of a footman.<sup>44</sup> These facts, along with some others, can be rearranged and checked up.

1. 12000 persons including 2000 Quraysh took part in the expedition against Hawāzin etc.
2. They seized 24000 camels and more than 40,000 sheep.
3. Khums was taken out of this Ghanīma.
4. The Prophet distributed about 100 camels each to about forty Qurayshites etc.
5. There were two thousand horsemen in the expedition and their share was triple<sup>45</sup> the ordinary share.
6. The portion of the Ghanīma was to be distributed among 10,000 shares to footmen and 6,000 shares to horsemen. The total number of shares comes to 16,000.
7. Let us give some margin to the number of sheep and suppose they were 60,000 equal to 6,000 camels plus the 24,000 camels = 30,000 camels.
8. Deduct Khums, viz.,  $30,000 - 6,000 = 24,000$  camels.
9. Divide 24,000 camels into 16,000 shares. The answer will be 1.5 camels per share and not 4 camels as given by the historians.

In this case it is presupposed that the Quraysh were awarded from the Khums and not from Ghanīma<sup>46</sup> because in the

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44. Waq., 949.

45. Ibid.

46. This is suggested by Mus., 7,150; Waq., 948.

latter case the number of camels per share would be further reduced. But if the calculation is reversed on the basis of 4 camels each the total number of the camels seized will come to  $16,000 \times 4 = 64,000$ , being the  $4/5$  of total Ghanīma or = 80,000 total number of camels including sheep equalling  $1/10$  of a camel.

In any case, the different sets of figures do not reconcile with each other if it is accepted that all the fighters including the Anṣār were given 4 camels each. What appeals to common sense is that the possibility of mis-reporting the small, single digit, per head share, is less than the multiple aggregate figures of camels, sheep, silver, captives etc. But this does not seem to solve the problem. If a share of four camels each was not satisfactory for any reason, the sense of deprivation should have been widespread mainly among the poorly trained newly converted Muslim tribes and not only among the Anṣār as reported by the historians. Before suggesting any solution the following facts may be adduced:

According to Wāqidī, the Prophet advised Zayd to count the number of the people and the quantity of Ghanīma and then distribute it at a rate of 4 camels or forty sheep each.

The remaining properties of Ghanīma were sent to Medina.

The Anṣār complained that the Prophet gave Ghanīma to his tribe (qawm) and also gave large quantities to other tribes but neglected the Anṣār.



These points along with those put down above suggest the possibility of the following situation.

1. Khums of 24,000 camels and 40 or 60 thousand sheep was set aside to be transported to Medina.<sup>47</sup>
2. Out of the remaining stock more than 3,500 camels were given to the Quraysh and other tribal chiefs.
3. The remaining, about twenty thousand camels, were distributed among five thousand fighters at a rate of 4 camels each. This number of the cross-section of recipients was sufficient to satisfy most of the tribes.
4. Although there is no report to suggest that the Emigrants (Muhājirūn) were also given any camels, the fact was that their tribe (qawm), Quraysh had got it.
5. The Anṣār, perhaps did not get anything, and this fact aggrieved them because of their superior position in Islam as compared with the still swerving Quraysh.
6. The reason why the Prophet did not try to annoint them by giving something from the Khums which was transported to Medina is not far to seek. Firstly because he had promised to pay to many Muslims compensation for the captives of Hawāzin which were compulsorily taken away from them. And secondly the Prophet was planning to lead the largest ever expedition to Tabūk for which not only the reconciling of hearts at Ja'irrāna was necessary, but also a heavy load of arms and a large herd of riding animals were necessary. It was soon proved that he harvested a rich crop of what he had sown at Ja'irrāna.

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47. Tab., 1, 1685.

Now as regards Wāqidī's report about the share of four camels to each (fa k̄ānat, sihāmuhum li kullī rajulin arba'a min al-ibil aw....), it can be suggested that by the phrase four camels to each he does not mean each one of the twelve thousand Muslims; he means each one of the Muslims who were decided to be given a share - perhaps the later accessions to Islam - by totally neglecting the Anṣār, the Muhājirūn, and some others. What aggrieved the Anṣār was not the fact that they alone were neglected; it was their position of seniority which they thought was let down. So far they had been willingly sacrificing their economic interests for the sake of the poor Emigrants whom they treated as senior to themselves. But they were not willing to give sacrifice for the sake of those wealthy newcomers who, till the last week, were the staunch enemies of the Prophet and of Islam. That is why, when the Prophet reassured them that their position of seniority was secure before him, they were consoled and did not worry about his offer to allot them lands at Baḥrayn.<sup>48</sup>

While the government apportions Ghanīma to the fighters, Khums is retained by it for specific purposes:

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48. Chapter 4. Throughout this discussion we have completely neglected the figures reported by Ṭabarī on the authority of Ibn Is'hāq (1,1674). According to this report the total number of camels was 6,000. If this figure is accepted then most of the statements of all the other historians will have to be rejected. The interesting thing is that in the Sirat Ibn Hisham has given this number for the captives, on the same authority. He quotes "And there were, with the Prophet, 6 thousand of the dependents and women of Hawāzin and the camels and the sheep whose number cannot be counted." In the face of this difference in figures Ṭabarī seems to have relied on Wāqidī's statement of per head distribution of four camels (1,1685).



"For God, and for His Messenger and for the kinsmen, and for the orphans, paupers (masākīn) and the wayfarers."

The words God and His Messenger are taken to mean the government but during the Prophet's time the Prophet himself was 'the government'. By the term kinsmen (dhawī'l qurbā) during his life was taken to mean the kinsmen of the Prophet who, according to Ibn Jubayr, were the children of Hāshim and Muṭṭalib.<sup>49</sup> In this way four of the five items were of general type. It is quite natural to assume that all the five heads could not necessarily be met with each quantity of Khums which the Prophet received at different times. As a result the expenditure of Khums depended on the urgency of a particular head of expenditure. In the early Medinian period of the Prophet, Khums-receipts were very poor and the personal requirements of the Prophet's own family were very pressing. The gradual increase in Khums property eased personal financial strain and the situation was further relieved by addition of the Fay' receipts. Now the Khums receipts could also meet the other heads of expenditure. Orphans, paupers and the wayfarers were also now financed.<sup>50</sup> Along with this the Prophet also utilized these funds in providing arms and riding animals for Jihād.<sup>51</sup> The Prophet also used his discretion to dispose of Khums receipts as he thought fit. In the case of the Khums of Banū Qurayḍa, for example, Ibn Sa'd reports: "The Prophet freed some of the captives, gifted some to others while he put into service whom he liked. Similarly, he did with the

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49. Kh., 11.

50. Ibid.

51. A.U., 821.

goods whatever he thought fit.<sup>52</sup> It is also reported that he exchanged some of the goods and slaves of Banū Qurayḍa for war equipment.<sup>53</sup> The Khums of Khaybar was quite substantial as compared with any other which he had had so far. As a matter of fact this was the first Khums which had certainty and regularity in its income. The Prophet first of all apportioned the produce of the land among his kinsmen in a quantity which could suffice them for their annual food requirements. Historians have given the details of the quantities of foodgrain and dates that were apportioned for his wives and kinsmen.<sup>54</sup> Apart from meeting his food requirements, the Prophet also spent Khums income on financing some other requirements of his kinsmen. For example, he arranged for the marriage of his two cousins from Khums money.<sup>55</sup> Expenses incurred on the marriage of the widows of Banū Hāshim were also met from the same source.<sup>56</sup>

It seems that at a later stage the proportion of expenditure on other heads than kinsmen had substantially increased. That is why the Prophet, before distributing the Ghanīma of Hunayn said: "Nothing except the Khums of the properties God has bestowed on you, will remain with me and even that much will (ultimately) be returned to you."<sup>57</sup> This saying apparently means that leaving aside a portion for meeting the bare personal requirements of the Prophet's family, the entire expenditure of the Khums would be made

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52. II, 54.

53. Tab., 1, 1497.

54. Bal., 38, 41; Bukh (Muzāra'a) 9; Sad, III, 1,124, IV, 1,1 .1.

55. Supra.

56. Waq., 381.

57. A.U., 765, 810.



on the general welfare of the Muslims.

The administrative in charge of the Khums properties during the Prophet's time was Maḥmiyya b. Jaz'.<sup>58</sup> According to Abū-Yūsuf 'Alī looked after the supervision of the portion of Khums which was exclusively meant for the Prophet's kinsmen<sup>59</sup> but there are parallel reports to contradict the statement.

The institutions of Ghanīma, Khums and the minor items like Ṣafī, Salab, Nafal, remained almost unchanged during the period under study. The changes that took place after the Prophet were in respect of Ṣafī and the share of kinsmen in the Khums. The first four caliphs refrained from taking out any Ṣafī for them, but the later rulers did not miss it. The head of expenditure of Khums entitled the kinsmen (dhawī'l qurbā) was reviewed and reinterpreted.

The conquests of the rich territories of Persia, Syria, North Africa, Spain, and Asia Minor, within the period under study, threw large quantities of Ghanīma into the hands of the Muslim army, and it also enriched the Bayt-al-Māl. These conquests started immediately after the Prophet's demise, and within a few years goods and valuables were pouring in from all sides. At this stage a little less than a hundred thousand men were deployed on different fronts, and the extent of Ghanīma that they might have acquired can be conceived by the fact that Khālīd, who took part in these expeditions for about five years, had collected goods and cash valuing one hundred and sixty thousand dirhams.<sup>60</sup> These :

58. Mus., 7, 179.

59. Kh., 11, 12.

60. Because when he came back to Medina after his earnings were halved by 'Umar, he still possessed goods and cash valuing 80 thousand dirhams. See Chap. 3.

figures will seem to be modest if the picturesque accounts of the Ghanīma accrued from Madā'in, Bukhārā, Ifrīqiyya, and Andalus, as reported by the historians are believed to be correct.<sup>61</sup>

While 'Umar decreed that a person will be entitled to a share in Ghanīma who had witnessed the event, or who as a helper had reached before the burial of the dead bodies,<sup>62</sup> 'Umar II included the messengers, postmen, and the agents (wakīl) who were sent from the army, among the recipients of Ghanīma.<sup>63</sup> All the other beneficiaries of Ghanīma remained the same as in the Prophet's time.

Expeditions with smaller quantities of Ghanīma were numerous, and of a very much more regular type. While the movable properties were distributed by way of Ghanīma and the Khums was transferred to government, lands conquered in these areas were not distributed; they were converted into Fay'. The same policy was pursued throughout Umayyad period, and perhaps became a precedent for ever. Within a hundred years the Muslims had occupied the territories stretching between the Punjab in the east and North Africa and Spain in the west, but the lands were left untouched everywhere.

The quantities receivable by way of Khums can be conceived from the value of Ghanīma collections. It was the Khums property of Madā'in and then of Jarmuk that led 'Umar to distribute annual stipends to all the Muslims who had taken, or were taking, part in wars.<sup>64</sup> There is reason

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61. Tab., 1, 2444 sqq; Khalifa, 1, 397; I.A.H., 86; I.A.H.(M), 210.

62. Bal., 257; Khalifa, 1, 148.

63. Sad, V, 260.

64. Tab., 2411-18.



to believe that the Pious Caliphs were careful in spending the Khums collections properly. But unfortunately the later stories against 'Uthmān raised some controversy about his position in this regard. The first allegation that was levelled against him was his awarding of Khums receipts to his kinsmen. The second was about his giving of the Khums to 'Abd-Allāh b. Sa'd b. Abī Sarḥ, commander of the expedition to Ifrīqiyya. The third allegation was his selling of Khums property to Marwān at a much cheaper rate than the free market price.

As regards the first point, it is reported that after the Prophet's death, people were divided on the share of Khums payable to the Prophet and the kinsmen. A group was of the view that the Prophet's share was to be taken by his caliph. Another group had the opinion that the share of the kinsmen was to be passed on to the Prophet's kinsmen. A small group believed that the share of the kinsmen was to be passed on to the kinsmen of the Caliph. Then all of them agreed that both shares would be utilized for providing arms and riding animals,<sup>65</sup> and this was done by Abū-Bakr and 'Umar. But it seems that 'Uthmān believed that the share of the Prophet's kinsmen could be transferred to the Caliph's kinsmen while 'Alī (and Ibn 'Abbās) believed in the continuation of the old practice of distributing it among the Prophet's kinsmen. It can be observed that 'Uthmān's interpretation of the Qur'ānic phrase 'dhawī'l qurbā' (kinsmen) was as valid as could be that of Abū-Bakr, 'Umar or 'Alī. The last one

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65. Kh., 11, 12.

could be justified in restoring it to the Prophet's kinsmen but he refrained from doing so perhaps on political grounds.

As regards 'Uthmān's dealing with 'Abd-Allāh b. Sa'd b. Abī Sarḥ, it can be pointed out that he was not an inventor of this practice. 'Umar had already offered to Jarīr of Bajīla one-fourth of the Khums of Sawād if he, along with his tribe, was willing to join the Muslim army in Iraq.<sup>66</sup> 'Uthmān followed suit, but with a more convincing justification. This will require a peep into the earlier history of the expedition to Ifrīqiyya.

When 'Amr sought 'Umar's permission to overrun Ifrīqiyya, 'Umar refused his permission on an apparently superstitious ground. He is reported to have written to 'Amr: "Don't go there; it is Mufarriqa not Ifrīqiyya. It betrays others and they betray it."<sup>67</sup> Whether or not this rationale convinced 'Amr, he had to stop his advance. It is quite

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66. Tab., 1, 2186. The reports made by Bal. (267), A.U., (156), and Kh., (18), may lead to the confusion that 'Umar promised this Nafal from Ghanīma because the fighters of this tribe formed one-fourth of the whole army. But this opinion carries no sense. Sawād was not conquered by that time and 'Umar's policy about the distribution of conquered lands was not known. Therefore, it was taken for granted that in case Sawād was conquered and the lands were distributed like the lands of Khaybar, Jarīr would naturally take away one-fourth portion of Sawād lands by virtue of his numerical strength and not by the grace of 'Umar. This offer of one-fourth could carry some sense only when it was something more than the right of Jarīr, and this was possible only if one-fourth portion of Khums as reported by Tabarī is treated to be correct.

67. Bal., 227.



natural to believe that the contents of the letter should have been known to other generals and soldiers. What 'Umar did was the demonstration of the old Arab method of depending on occult interpretations of things and events. But if such a situation was allowed to prevail it could lead to many wrong directions. 'Uthmān acted wisely when he not only advised his general to advance this feared 'Mufarriqa' but, in order to boost up his morale, also promised to give him a portion of the Khums.<sup>68</sup> Had it not been so, many Muslims could begin thinking in these occult terms, and would have stopped their advance almost to a point where 'Umar had left them. There were many cities obstructing their advance which, without any literal concoction, conveyed a bad sense. For example, Kush in Persian means 'kill', Makrān in Arabic means double deceit, Munqaliba means the 'over-turned', and so on. In fact it is very difficult now to estimate the wisdom of 'Uthmān's decision in relation to the future course of the history of Islam. The least that can be observed about him is that he again put the wheel of history to rotate with the same force and in the same direction as it was doing before.

As regards the allegation of selling of Khums to Marwān, it should be kept in mind that in principle it was not prohibited. Ghanīma and Khums both could be sold and their price used for specific purposes. The Prophet did it.<sup>69</sup> It is reported that Sa'd, Governor of Kūfa did it<sup>70</sup> and sent

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68. Tab., 1, 2814.

69. Supra.

70. Supra.

the sale proceeds to 'Umar. A more interesting report is to be found about the Governor of Syria selling Khums property to 'Umar's son 'Abd-Allāh. When 'Umar came to know of this transaction he annulled the transaction, sold the property at a much higher price and after giving a portion of profit to 'Abd-Allāh deposited the remainder in the Bayt-al-Māl.<sup>71</sup> There is no report to suggest that 'Umar took any action against his governor. In the case of Sa'd, however, the matter was different when 'Umar appointed a committee to enquire into the reports against Sa'd, one of the many being that he was lenient in the sale of Khums.<sup>72</sup> 'Uthmān's 'fault' in this respect was that throughout his life, he had been generous and lenient.

Apart from the above arguments one point about 'Uthmān must be made very clear. To err is human and 'Uthmān was a human being. But the genuineness of any allegations against any reputed person must be judged against the background of his temperament and past performances. And any allegations against 'Uthmān would require much stronger evidence than has been reported by some historians.

While Ghanīma continued to be distributed among the soldiers, even after the Pious Caliphs, the collection of Khums seems to have been tampered with arbitrary choice sometimes in the Caliph's name and sometimes on the discretion of the general who wanted to please his governor or caliph. Ziyād advised his commander in Khurāsān to pick out all gold and silver from the Ghanīma, in compliance

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71. Chapter 3, p.

72. Sad, 5, 44.



with the wish of the Caliph.<sup>73</sup> Mūsā b. Nuṣayr is reported to have brought large quantities of Ghanīma to please the Caliph. He retained it from distribution among the deserving soldiers.<sup>74</sup>

The distribution of Khums which, after the Pious Caliphs had been carelessly treated was set right only by 'Umar II. He advised his officials to distribute the Khums only among the deserving persons.<sup>75</sup> He also restored the payment of the amount of Khums to Banū Hāshim which, according to Ibn Sa'd, was stopped by Mu'āwiyā.<sup>76</sup>

The practice of awarding Salab and Nafal after the Prophet is generally not recorded by historians. But because they did not involve large amounts, had become a convention, and did not also deprive the government of anything from its pocket, it can be presumed that they continued. A stronger factor that supports this presumption is that the soldiers now needed more material incentive than before. Examples of 'Umar's granting of large Nafal to Jarīr and 'Uthmān's awarding of a fabulous Nafal<sup>77</sup> to 'Abd-Allāh b. Sa'd have

73. Supra.

74. Khalifa, 1,408; I.A.H.(M), 210.

75. Sad, V, 257-8.

76. Ibid., 287-8.

77. The extent of this Nafal can be conceived by the fact that according to Yaq (II, 155) the value of Ghanīma amounted to 25 million dinars. This means that 1/5 of the Khums payable to 'Abd-Allāh amounted to 1 million dinars. Many historians agree that the per head distribution of Ghanīma of Ifrīqiyya stood at one thousand dirhams for a footman and three thousand for a horseman. (Khalifa, 165; I.A.H., 44; I.A.H.(M), 184; Kindi, 12).

already been discussed. Local commanders on their part granted Nafal to encourage their soldiers. Khālīd, Sa'd, and Muthannā, for example, used to give special awards to their soldiers. These were given from the Khums.<sup>78</sup> While the Prophet did not take away any Khums on the Salab even though it was valuable,<sup>79</sup> 'Umar, admitting that it was never done before him, levied Khums on a salab which valued some 30 to 40 thousand dirhams.<sup>80</sup>

Ghanīma is seized by the fighters themselves and, therefore, it is difficult for the commander or the incharge of Ghanīma to embezzle anything from it. It is, however, easier for the soldiers to dupe their commanders while they are collecting it from the enemy camps. There are reports to suggest a high degree of moral sense among the soldiers in this respect. While these reports can be believed in view of the emotional turn in character at the time of victory and collection of valuable Ghanīma, it does not mean that all the soldiers possessed a similar sense of responsibility. Incidents of dishonesty are not recorded by the historians, perhaps because it is a thing which no one else but the thief knows about; and he never exposes himself. In the case of officials, however, Tabarī mentions two incidents of misappropriation in Ghanīma properties; the first occurred in the year 77 A.H. by Bukayr b. Waṣṣāḥ and the second and more serious one, in the year 104 A.H. by Ḥarashī in the Ghanīma of Sughd.<sup>81</sup>

78. Tab., 1, 2027, 2028 & 2233.

79. Mus., 12, 64; Abu Daud, 3, 97.

80. A.U., 780; Tabarī, Abū Jāfar Muḥammad b. Jarīr: Kitāb Ikhtilāf al-Fuqahā', ed. J. Schācht, Leiden, 1933, p.117.

81. Tab., 2, 1024, 1446.



## CHAPTER 7

ZAKĀT  
(The Poor-tax)

The Qur'ān ordains the payment of Zakāt (or the interchangeable word Ṣadaqa) on wealth (māl) and crops, and lays down the heads on which Zakāt proceeds are to be spent. The rates of payment, the nature and the quantities of wealth and crops on which it is to be charged and the rules of exemption are not to be found in the Qur'ān. It stands to reason that these necessary details should have been explicitly laid down without which the Qur'ānic emphasis on paying Zakāt was meaningless. This is reported to have been done by the Prophet who gave all the practical details of the subject.<sup>1</sup>

The concept of charging a religious tax is not a Qur'ānic innovation. In ancient Babylonia 'the revenues of the temples and priesthood were derived also from compulsory offerings which included the esria or tithes. These had to be paid by all classes of population from the King downwards, either in grain or its equivalent in money.<sup>2</sup> The Old Testament also provides for the payment of tithes:

And all the tithe of the land, whether of the seed of the land, or of the fruit of the tree, is the Lord's: it is holy unto the Lord.

(Lev. 27:30)

Thou shalt truly tithe all the increase of thy seed, that the field bringeth forth year by year.

(Deut. 14:22)

And, behold, I have given the children of Levi all the truth in Israel for an inheritance, for their service which they serve, even the service of the tabernacle of the congregation.

(Num. 18:21)

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1. For relevant basic details see Chapter 2.

2. Rev. A.H. Sayce: Babylonians and Assyrians - Life and Custom, London, 1900, p.253.

And that we should bring the first fruits of dough, and our offerings, and the fruit of all manner of trees, of wine and of oil, unto the priests, to the chambers of the house of our God; and the tithes of our ground unto the Levites, that the same Levites might have the tithes in all the cities of our tillage.

(Neh. 11:37)

But there seems to be a world of difference between the Qur'ānic concept of Zakāt and the earlier concept in respect of their object, scope and applicability. The ancient and Biblical tithes were meant for purely religious institutions while the Qur'ānic 'tithe' is meant for giving economic support to the society and not to any religious hierarchy, so much so that its use was made unlawful for the Prophet, his kinsmen and posterity. The Prophet is reported to have written "The Apostle of God is the supporter of your rich and the poor, and Ṣadaqa (Zakāt) is unlawful to Muḥammad or the members of his household; it is only a means of purification given to the needy and the wayfarer."<sup>3</sup> Similarly esria or tithe was collected from all the classes of society and passed on to the religious institution while Zakāt is to be collected only from the rich and passed on only to the poor and is applicable to all the items of wealth and income. These points will suggest that there is no affinity between the earlier concept of esria or tithe and the Islamic concept of Zakāt; except in one minor point: the rate of ten per cent. But even in this respect the affinity is much limited because the rates of Zakāt vary from 2½ per cent to 10 per cent.

The history of the role of the government in collecting

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3. Sira, 2, 381.



and distributing Zakāt begins very late in the Prophet's Medina. Although the covenant with the Anṣār at al-ʿAqaba required them to pay Zakāt,<sup>4</sup> it seems to have been prescribed as a voluntary personal obligation and can be termed as pious spending (infāq), without any specific rules and legal requirements. Zakāt as a compulsory levy with its whole set of rules was introduced by the Prophet probably when he sent his collectors to different tribes. These collectors were required to collect the Zakāt from the well-to-do and distribute the same among the poor.<sup>5</sup> Balādhurī has suggested two different dates of sending the Prophet's tax collector, ʿAlā b. al-Ḥaḍramī, to Baḥrayn: the year 6 and the year 8 A.H.<sup>6</sup> But the year 6 will raise doubts if by that time Zakāt had become a compulsory levy by the government. If it was so there should have been a mention of many collectors who had been sent out to the converted Muslims in other tribes. It is presumable that in the year 6 ʿAlā might have been sent for preaching or for delivering the Prophet's letter to the prince of Baḥrayn while in the year 8 when his preaching had converted many to Islam, he might have been appointed as Zakāt collector too. Ṭabarī not only confirms the year 8 as the time of deputing ʿAlā as collector<sup>7</sup> but also adds the name of ʿAmr as collector for ʿUmān the same year.<sup>8</sup> It is almost certain that most of the collectors were sent about the year 9. Historians have

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4. Sad, III, 2,139.

5. Tab., 1, 1601; Tir., 3, 117,148 & c.

6. pp. 90 and 89 respectively.

7. Tab., 1, 1750.

8. Ibid., 1600-01.

given the names of a number of persons who were appointed for different tribes. The following list followed by a map will give an idea of the names and the places of tribes where these collectors were sent:

Table 3.

List of Places / Tribes where Zakāt-Collectors were sent by the Prophet

	Sīrā <sup>9</sup>	Tab. <sup>10</sup>	Wāq <sup>11</sup>	Khal. <sup>12</sup>	Sā'd <sup>13</sup>
1. 'Udhra (came on their own)					
2. San'ā	-	-			
3. Ḥaḍramawt	-	-			
✓4. Tayyi'	(-)	-		-	
5. Asad	(-)	-		-	
6. Banū Ḥanzala	-	-		-	(-)
7. Banū Sa'd b. Bakr	-	-	-		(-)
8. Bahrayn	-	-			
9. Najrān	-	-			
10. Banū Ḥārith	-				
✓11. Kalb				-	-
12. Fazāra			-	-	
13. Banū Muṣṭaliq				-	-
14. Banū Murra				-	
15. Ashaja', Ghaṭafān 'Abs				-	
16. 'Udhra, Salamān Balī			-	-	-
17. 'Awdh/al-Anbā'				-	
18. Dārim				-	
19. Banū 'Amīr ✓				-	
20. Banū Sulaym ✓			-	-	-
21. Hawāzin, ✓Jashm, Naḍar				-	
22. Thagīf				-	
23. Kilāb			-	-	-
24. Aslam			(-)		
25. Ghifār			(-)		-
26. Muzayna			-		-
27. Ka'b			-		-
28. Dhubyān			-		-
29. Sa'd Hudhaym					-
30. 'Umān		-			
31. Medīna			-		-
	8	8	10	16	12

9. 2, 384, 387.

10. 1, 1750; 1, 1600-01.

11. 973.

12. 1, 75.

13. II 1, 115, 116; IV 1, 17; 2, 64, 76.

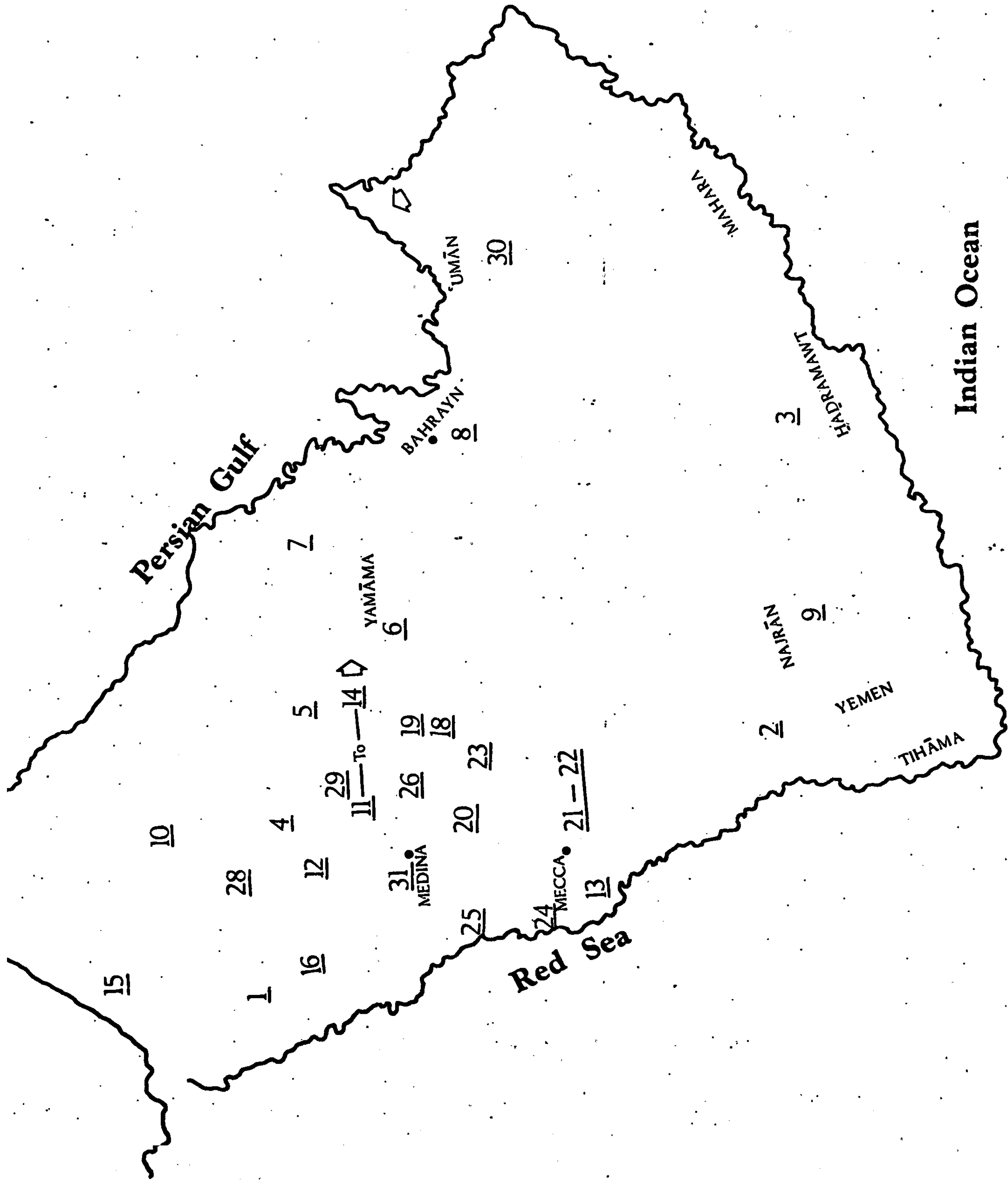


Fig. 1

MAP OF ARABIA

Showing The Places Where  
Zakāt Collectors Were  
Sent Out By The Prophet

The Economic Func-  
tions Of The Early  
Islamic State.  
(to the end of  
UMAYYAD period)



Although the items of the levy of Zakāt were not too many the multiples of the rates mainly in the case of live-stock were many. As a result the collectors were particularly trained for the job. There are several reports that the Prophet, before sending his officials, not only informed them of the rates etc. but also advised them about the method of assessment and collection, and also the moral conduct which they should demonstrate.<sup>14</sup> Yet it seems that some of the collectors forgot these instructions and gave cause for complaint.<sup>15</sup> This is also discernible from some of the clauses provided in the documents which the Prophet is reported to have sent to different tribal chiefs.<sup>16</sup> The collector is sometime stated to have reported that he had forgotten the details of the levy of Zakāt.<sup>17</sup> This perhaps made it necessary to put down the relevant details of the subject and send them to the officials in order that there should arise no grievances among the Zakāt-payers. This was ultimately done and a book was written (Kitāb as-Sadaqa) and copies circulated as a basis for practice in future.<sup>18</sup>

Apart from these circulars, the historians have reproduced a number of letters which are said to have been written by the Prophet to different tribal chiefs and the princes. Many of these letters contain the rates of Zakāt on different items. Some of the relevant particulars of such

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14. Sira, 2, 381; also see Chapter 23, discussion on Zakāt.

15. Abu Daud, 2, 141; Mus., 7, 73.

16. Infra.

17. Abu Daud, 3, 230.

18. Tir., 3, 106-7.



documents<sup>19</sup> are reproduced below:

1. To the princes of Himyar:

"Perform prayers, pay the Zakāt and submit the fifth of God from the booty and the share of the Messenger and his chosen part.

"What is laid down on believers in the matter of tax from land a tithe of what the springs and rain water irrigate and half a tithe on what is watered by the irrigating bucket.

"For every 40 camels a two year old milk-camel and for every 30 camels a 2 year old male camel and for every 5 camels a sheep and for every ten camels two sheep. For every 40 cattle one cow and for every thirty cattle a bull or a cow-calf.

"For every forty sheep pasturing freely one sheep. This is what God laid upon believers in the matter of Sadaqa. Who gives more, it is to his merit."<sup>20</sup>

2. To Banū Kalb:

"In the case of Flocks pasturing on their own a suckling she-camel free from defect should be paid on every fifty camels. Camels employed in carrying provision are exempted from taxation. On well-fed sheep they have to pay a three year old goat whether pregnant or full of milk.

"On what is watered by a channel from a permanent spring they have to pay a tithe of the produce yielded by the land and on the idhī palms, half of it is paid according to assessment of the collector. The tax rate on them should neither increase nor exacted in parts."<sup>21</sup>

To Khath'am:

"They have to pay the tithe on what is irrigated by water flowing on the surface of the earth and half the tithe on what is irrigated by bucket."<sup>22</sup>

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19. Of late there has been some discussion on the authenticity of these letters. The writer is inclined to accept and adopt Watt's views on Muhammad's letters to Princes (Medina, pp. 345-47) and has also made use of the latest work on the subject entitled A Critical Re-examination of the Treaties and Letters of Muhammad. A thesis for M.A. (typescript) 1961-62, London University.

20. Sira, 2, 380-81.

21. Ibn Sad, I, 2, pp. 23-35. Cf. 'Awn ash-Sharīf Qāsim: A critical re-examination of the treaties and letters of Muhammad, A Thesis for M.A., Typescript, University of London, 1961-62 (text of treaties) (underline mine)

22. Ibid.



To Bāhila:

"Whoever brings into cultivation an ownerless barren land and from which no advantage is derived and it contains places where cattle lie and spend the night; to him it shall belong.

...(after the rates of Zakāt on animals heads)...

"the tax collector has no right to collect taxes on these animals except in their pasturing grounds."<sup>23</sup>

To the deputation of Thumāla and al-Ḥuddān:

"They shall not have the palm trees assessed over the dates measured until it is placed in the drying court. They have to pay one wasq for every ten wasqs."<sup>24</sup>

The provisions underlined in the text suggest the possibility of their inclusion as a result of some complaints against the behaviour of the officials. The reason why 'Alā ibn al-Ḥadramī was withdrawn as a collector in Bahrayn was the result of some sort of complaint lodged by the Zakāt payers.<sup>25</sup> Along with these safeguards, Zakāt prayers were also advised to be tolerant to, and co-operative with, these officials.<sup>26</sup>

The traditions that Zakāt is to be collected from 'their rich' and distributed among 'their poor' may lead one to infer that the role of the Bayt-al-Māl is only nominal in respect of Zakāt, and that it would ultimately be entitled to only that amount which was collected in the capital city (Dār al-Khilāfa). There are also certain stories to confirm this inference. It is said that the Prophet sent 'Amr as collector of Zakāt at 'Umān. He took it from the rich and disbursed it among the poor.<sup>27</sup> A later report

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23. Ibid.

24. Ibid.

25. Sad, IV, 2, 77.

26. Abu Daud, 2, 141; also Cf. Chapter 27.

27. Tir, 3, 148; Maq.(Im.) I, 433.



states that Mu'ādh used to spend the Zakāt collections in Yemen but when in 'Umar's time he sent some of the residual funds of Zakāt 'Umar criticised it.<sup>28</sup> Ziyād deputed a Prophet's Companion to collect Zakāt from some city in Iraq. When he came back from his job Ziyād enquired about the funds. "Oh, you mean the Zakat funds," retorted the Companion, "Well I took it in the way I used to do in the Prophet's time, and disposed of it in the way I used to do in his time."<sup>29</sup>

On the contrary there are also reports to suggest that the Prophet used to receive funds from other tribes too. In some cases there may be confusion on the nature of these funds: whether it was Zakāt or Jizya, which also the Zakāt collectors collected. But there are also clear cases which prove that the Prophet also received Zakāt from the remote regions. Balādhurī reports that Ḥamza b. Nu'mān, a chief of Banū 'Udhra was the first to bring the Ṣadaqa of his tribe, to the Prophet.<sup>30</sup> It is also believable that the collector would take to the Prophet a portion of Zakāt or in some cases the residual Zakāt funds which remained undistributed. The most relevant argument in support of the centre's share in Zakāt can be adduced in the context of Abū-Bakr's war against apostates.

From the arguments adduced above it can be derived that Zakāt was sometimes directly paid by the tribes to the Bayt-al-Māl. Some other times the collectors did not necessarily distribute all their collections in the paying community. Distribution might depend on the requirements

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28. A.U., 1911.

29. Abu Daud, 2, 155.

30. Infra.

of any tribe, perhaps to be decided by the collector. The collectors to relatively well-off tribes might leave a credit balance for transfer to the Bayt-al-Māl. Moreover, there could also be situations where the number of Muslims was much less than non-Muslims and the fellow Muslims were mostly the payers but not the claimants of Zakāt. In such cases also Zakāt funds would be transferred to the Bayt-al-Māl.

What total amount of Zakāt was received by the Prophet is not to be found anywhere. There seem to be so many reasons for it. Firstly a large portion of Zakāt was distributed by the collectors locally and the accounts were not kept, nor any registers maintained. Secondly, the proceeds of Zakāt which were received by the Prophet were distributed forthwith. Thirdly, counting of funds was not a popular method of distribution; it was often effected by handfuls of coins. In the case of dates or food grains too, measures were more popular than weights. And while it was to be distributed gratuitously no standard measure was necessary to apply. In the matter of livestock and riding animals counting was to be depended upon. It is reported that the Prophet had 40,000 camels in the Bayt-al-Māl when he passed away.<sup>31</sup> But the circumstantial evidence will hardly accept this figure as reliable. The Prophet died about 18 months after the expedition to Tabūk and the story of 'seven weepers',<sup>32</sup> if it is taken to be reliable, suggests that the Bayt-al-Māl had exhausted all its resources without providing riding animals to the last seven fighters.

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31. 'Umar Abū-'n-Naṣr: 'Umar ibn al-Khaṭṭāb, Beirut, 1935, p.185.

32. Sad., I, 2.119.



It can hardly be believed that within a period of the next eighteen months when no important war was fought the Bayt-al-Māl could have 40,000 camels by way of Zakāt. Moreover, this number of forty thousand camels of Zakāt would require a cumulative total of about two million camels owned by the Muslims, and provided that the entire Zakāt of camels was passed on to Bayt-al-Māl without distributing any portion of the same locally. The only acceptable report may be that the Prophet bequeathed a substantial number of camels in the Bayt-al-Māl.

The report that the collector of Bahrayn sent eighty thousand dirhams to the Prophet which was the largest amount the Prophet ever received<sup>33</sup> also does not give us any idea about Zakāt receipts because the amount includes the receipts by way of Jizya too. This is supported by the fact that, according to the same reporter, the Prophet gave to 'Abbās out of this income.<sup>34</sup> Had it been Ṣadaqa only, the Prophet would never have given this income to his uncle. He was so rigid in this principle that he would not allow his relations or 'mawlā' to act as collectors or their assistants.<sup>35</sup> There can be a last way of calculating the receipts of Zakāt in case the figures for Zakāt and Jizya/Kharāj are mixed up: deduct the amount of Jizya/Kharāj (which is recorded in most of the cases) from the total and the result will give the amount of Zakāt. But unfortunately in the case of Bahrayn neither the total amount of Jizya is given nor the total number of persons who were liable to Jizya is known. What

33. Bal., 92.

34. Ibid.

35. Sad, IV, 1, 17, 40.

is given is the rate of Jizya per head which alone does not give any clue to the total Jizya.

How the collection of Zakāt was organized in the Prophet's time is a question about which some material is available. In some cases, like that of Banū 'Udhra the payers voluntarily brought their Zakāt to Medina.<sup>36</sup> There are some rare cases to suggest that Zakāt on rare procurements was collected by the Prophet whenever any such case was reported to him. It is said that once a man informed the Prophet that he had got some money from ownerless ruins outside Medina. The Prophet deducted Zakāt at a rate of 20 per cent (khums) and returned the remaining to the possessor.<sup>37</sup> Apart from such unusual cases the general practice was to appoint Zakāt collectors. Even the capital city was not left without one. These collectors were first trained in the law of Zakāt and the ethics of 'tax farming'. The story of one such trainee has briefly been reproduced in the above lines. The whole story goes like this:

"A man from Banū Taghlib narrated: "I called on the Prophet and embraced Islam. Then he taught me Islam and taught me the way to take Ṣadaqa from my tribe (qawm) which embraced Islam. Then I came back to the Prophet again and said: O Messenger of God! I still remember everything you taught me but Sadāqa. So may I work as an 'āshir (general tax collector). The Prophet said "No, the taxes ('Ushūr) are on Christians and Jews".<sup>38</sup>

There are also reports which indicate that these collectors were given written instructions.<sup>39</sup> In most of the cases the collectors belonged to the tribe where they

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36. Supra.

37. Waq., 682.

38. Abu Daud, 3, 230.

39. See Chapter (2).



were deputed, but not always.<sup>40</sup>

In the Prophet's time the collectors were not salaried officials. They were, however, paid some sort of commission from Zakāt funds. This head of Zakāt expenditure is derived from the Qur'ānic phrase 'wa'l 'āmilīn 'alayhā' (the officials of Zakāt). This is also confirmed by the stories narrated by the historians. 'Umar, the Prophet's collector in Medina,<sup>41</sup> said that the Prophet assigned him some work and paid for it.<sup>42</sup> According to Ibn Sa'd two of the Prophet's kinsmen, 'Abd-al-Muṭṭalib b. Rabī'a and Faḍl b. 'Abbās, requested the Prophet to assign them collection of Zakāt in order that this might become a source of earning to them. The Prophet refused on the ground that they were his kinsmen for whom earnings from Zakāt funds were undesirable.<sup>43</sup> The Prophet did not allow even his mawlā Abū-Rāfi' to act as assistant to a collector on the same ground arguing that a mawlā is treated as belonging to his master's tribe.<sup>44</sup>

The public response to these collectors was not always similar at different places. In some cases people willingly offered more and better quality than they were required to do.<sup>45</sup> On the contrary there are also reports of complaints and grievances lodged by the Zakāt-payers, which were sometimes remedied by the Prophet while at some other time

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40. For a study of this tribal relationship see Watt, (Medina), pp. 366-68. The list includes the collectors of Zakāt (muṣaddiqs) too.

41. Abu Daud, 2, 154-55.

42. Ibid.

43. IV, 1, 40.

44. Sad, IV, 1, 52.

45. Nas., 5, 32-33; Abu Daud, 2, 137-40.

rejected which meant that the reports were not realistic.<sup>46</sup>

The assessment of Zakāt in the case of animals, cash, gold and silver was a simple matter. In the case of food-grains and dates, it must surely have been cumbersome because it involved metric system of weights and measures. It is not possible to explain here why this metric system had gained sanctity since the ancient period. Divisions and sub-divisions in geometric ratio ( $\frac{1}{2}$ ,  $\frac{1}{4}$ ,  $\frac{1}{8}$ ,  $\frac{1}{16}$ ) could be easier in the absence of large weighing scales than the metric system (100, 50, 25, 10, 5,  $2\frac{1}{2}$ ). For instance, four sub-divisions of subsequent halves can give the product  $1/16$  while in the case of obtaining  $1/10$  the division becomes relatively difficult and cumbersome: divide into halves; then sub-divide one half into five equal shares to have the product  $1/10$ , and a seventh sub-division of a share will make it  $1/20$  and an eighth,  $1/40$ . It is not known how this difficulty was faced in the case of food-grain. But in the case of dates and grapes, experts were sent to conjecture the expected total produce and then Zakāt was assessed on the basis of this conjecture and not the exact quantity of the crop.<sup>47</sup> To eliminate any possibility of injustice in conjecture, a third or sometimes a quarter of the conjectured quantity was first exempted from assessment.<sup>48</sup> Zakāt was collected only when the crop was picked out and became ready for use. Bukhārī has narrated on the authority of Yahyā b. Ādam about the practice of receiving an equivalent

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46. Supra.

47. Tir., 3, 140-43; Bal., 68.

48. Abu Daud, 2, 148; Tir., 3, 140-41.



substitute for Zakāt on food grain. Yahyā has reported on the authority of Tā'ūs that Mu'ādh said in Yemen: "Bring me cloth or garments, which I shall accept in place of Ṣadaqa (on food grain) as it is easier for you and better for the emigrants." But Qaṣṭalānī has expressed his doubts about Tā'ūs's direct hearing from Mu'ādh. According to him another source, Bayhaqī has narrated the story with another chain of narrators (Isnād) but it suggests the substitution for Jizya and not Zakāt. This has further confused the question because the levy of Jizya in Yemen was already stipulated in the form of money or garments. The 'Jizya on land' could be in the form of food grain but there are reports to suggest that lands in Arabia were charged Zakāt ('Ushr). And it might be that Zakāt which Mu'ādh had substituted. In any case it was later on believed on the basis of stories like this that Zakāt on a commodity could be paid in the form of its equivalent value and that Zakāt could be transferred from one place to another.<sup>49</sup> The conclusion from the story does not seem to be far-fetched because in the case of Zakāt of camels difference in the age of the camel or the levy in the form of the sheep/goat was substituted by the Prophet for dirhams - a goat or ten dirhams, a two-year-old she-camel plus two goats or plus twenty dirhams as a substitute for a three-year-old camel.<sup>50</sup>

Zakāt was to be paid on the lapse of one full year or on harvest. There is also evidence to claim that advance

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49. Yah., 525-26; Qaṣṭalānī: *Irshād as-Sārī*, *Sharḥ al-Bukhārī*, n.p., n.d., Vol. 3, 40-41.

50. Nas., 5, 20.

payment was also made.<sup>51</sup> Payment of Zakāt did not absolve all the financial liability of the Muslims towards the society or the state. The Prophet not only made it voluntary to pay Zakāt even on exemption limits<sup>52</sup> but also encouraged paying more than was due. He is reported to have said: "It is a duty from God, incumbent upon the Muslims, as-Sadaqa. Whosoever increases in it is better for him."<sup>53</sup>

The collectors of Zakāt did not have a free hand in collecting Zakāt, distributing it in any way they liked and remitting any balance to the Prophet. Many of them were required to submit their accounts. When Ibn-al-Lutbiyya was thus submitting his accounts, he set aside the articles which he had received by way of gifts and it became a cause of serious notice taken by the Prophet.<sup>54</sup>

Zakāt receipts, like any other income, were not retained by the Prophet for days. He distributed them as soon as they were received. Outstanding claims and requests were also accommodated.<sup>55</sup> It can safely be assumed that these funds must have been spent on the beneficiaries specified in the Qur'ān, because no evidence to the contrary is available. Camels were an exception to the Prophet's practice of prompt distribution because they were generally retained for distribution among the fighters.

Bukhārī has narrated that the Prophet was once branding the camels with his own hands.<sup>56</sup> There must have been other

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51. Sad, IV, 1, 17.

52. See Chapter 2.

53. Sira, 2, 380, 385.

54. Mus., 12, 220-21; Abu Daud, 2, 154-155.

55. Nas., 5, 89.

56. Bukh., Zakāt, 102.



helpers to look after this time-consuming job but the Prophet's precedent inspired the early Caliphs to exert their personal care in discharging their duties as a ruler.

The institution of Zakāt continued after the Prophet without any considerable change in the way it functioned. The beginning of Abū-Bakr's reign was marked by an immediate challenge to it, but the situation was soon brought under control and a big threat was averted. The historians have unfortunately mixed up the issues of apostasy and of the non-payment of Zakāt in such a way as to give a dreadful picture of the revolt against paying Zakāt. But an analysis of the different aspects involved in the issue does not support that impression.

Before the death of the Prophet, some of the claimants of prophethood had already appeared. Aswad al-'Anasī who had gathered much support had been killed a day before the Prophet's death, yet he had left an obstinate contingent of his followers who continued to operate in and around Yemen. The Prophet's death encouraged many ambitious persons to take their chance. Musaylima again became active and was now joined by a "prophetess" Sajāh and her followers. Their field of operation was the tribes of Tamīm with their foothold in Banū Hanifa. Tulayha set his feet in the near north of Medina and got some following. Dhū't-Tāj, though not a prominent one, became active in some areas of Bahrayn.<sup>57</sup>

Besides these claimants of prophethood and their followers, there were a few tribes who, although they did not

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57. A summary reproduction of Ṭabarī's report).

follow any of them, refused to pay Zakāt. The examples are Banū Kalb, Tayy', Dhubyān.

A third group consisted of those tribes who did not believe in these prophets, nor did they press their refusal to pay Zakāt, yet, they were perhaps in serious doubts about the future of Muslims and Islam. They did not like to take sides at this indecisive stage of struggle and were, therefore, reluctant to pay Zakāt. The examples of such tribes are Sulaym,<sup>58</sup> Hawāzin and 'Āmir.

Believing in the prophethood of the above-mentioned claimants was tantamount to apostasy in Islamic law as developed later on; but the refusal to pay Zakāt could be termed apostasy when it was established that they altogether disbelieved in the obligatory nature of Zakāt. And this seems to be a doubtful claim. Abū-Bakr is nowhere stated to have adjudged that the persons refusing only Zakāt were apostates. His line of approach was that he was not agreeable to their making any distinction between the prayers (ṣalāt) and Zakāt<sup>59</sup> and that he would not spare anybody who did not pay his Zakāt to him - the central government - as was done during the Prophet's time.<sup>60</sup> While his first condition can be interpreted in a variety of ways, the second condition possibly implies that the problem was not that of paying Zakāt as such - it was that of paying Zakāt to the government at the centre. That is why there are reports to suggest that during this period of turmoil most

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58. Tabarī reports that only some of the big persons of the tribe became apostates while common man remained faithful (1, 1871).

59. Tab., 1, 1873.

60. Tab., 1/1894.



of these tribes were generally paying their Zakāt to other people. According to Ṭabarī, for example "Qays revolted (against the provincial government of San'a) and exacted taxes from the neighbouring areas. But he was indifferent as to whether he should follow Abū-Bakr or (the followers of) al-Aswad."<sup>61</sup>

Whatever his own attitude may be the report clearly shows that people were already paying Zakāt. In the same way, when Zibriqān and Aqra' called on Abū-Bakr (perhaps to pay their collections of Zakāt) they requested him 'to write for them the 'Kharāj' (incomes) of Baḥrayn and promised that none of their community will desert Islam'.<sup>62</sup> This story produced by Ṭabarī supports the same point. Similarly the collectors who were sent to the tribes of Tamīm had already collected Zakāt and were now waiting for each others' action in regard to sending Zakāt collections to the government or otherwise spending it within their own tribes or clans.<sup>63</sup> The full story of these collectors as reported by Ṭabarī, would make the point more clearly understandable.

"The Prophet had already sent out his collectors to Banū Tamīm before he died.

Zibriqān b. Badr was the collector in (the clans of) Rabāb 'Awf and Abnā'.

Qays b. 'Aṣim was the collector in Muqā'is and the attached clans.

Ṣafwān b. Ṣafwān and Sabra b. 'Amr were the collectors in Banu 'Amr the latter at Bahda while the former at Khadm. Both are the clans of Tamīm.

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61. Tab., 1, 1991.

62. Tab., 1, 1920.

63. Tab., 1, 1908-9.

Wakī' b. Mālik and Mālik b. Nawīra were the collectors in Banū Hanzala: one for Banū Mālik the other for Banū Yarbū'. When Ṣafwān got the news of the Prophet's death he packed up the collections of his own region and those of Sabra's region and joined Abū-Bakr. Sabra stayed in his place because of the nuisance of Rabāb.

Qays waited quietly to watch what Zibriqān was doing because Zibriqān was angry with Qays and had always frustrated his attempts to improve his relations with Zibriqān. Now Qays waited for Zibriqān's move so that he could go against him. When he found that Zibriqān had not given any indication as to what he was planning, he said: "Woe to Ibn-al-'Ukliyya! he has frustrated all my plans. I fail to understand what to do. If I follow Abū-Bakr and give him the Zakāt collections, he might spend them among Banū Sa'd and Zibriqān will let me down in these clans. On the other hand if I spend these collections among Banū sa'd he will let me down before Abū-Bakr." Qays at last decided to distribute these funds among Muqā'is and other clans and acted upon this plan. (On the other hand) Zibriqān remained faithful and followed Ṣafwān to Medina, with his collections from Rabāb, 'Awf and Abnā,.... After his return there was everywhere a general turmoil and apostasy and everybody began to think of his own person. But Qays regretted what he had done and when 'Alā al-Ḥaḍramī came to him, he collected Ṣadaqāt of his region and went to 'Alā on his own, to follow him in Jihād."<sup>64</sup>

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64. Tab., 1, 1908-9.



The story speaks for itself. There is nothing in this story to suggest that so many clans refused to pay Zakāt. On the contrary there is a surprising instance in the story of the willingness of some clans even to pay their Zakāt twice. This and all such stories as reported by Ṭabarī also suggest that outstanding Zakāt for the year had already been paid out in most of the places. Therefore, there was now no question of again paying the Zakāt the same year. The funds were now lying with the collectors. Therefore the question of the refusal to pay Zakāt was not very relevant in the case of the general public; it was mostly relevant in the case of tribal collectors. And for those collectors who refused only to deposit Zakāt with the centre, the issue was whether a central, or in other words, an extra-tribal authority had any right to levy any taxes on them. The problem of Tamīm and the surrounding tribes took a serious turn only when Musaylima, joined by Sajāh resorted to violence.

Another proof in support of the assertion can be found in the nature of Abū-Bakr's operations against the revolting groups. Ṭabarī mentions eleven different expeditions which Abū-Bakr sent out for suppressing the revolts.<sup>65</sup> The map

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65. Tab., 1, 1880-81. The names of the leaders of these contingents and their destination have been given as follows:-

1. Khālīd to Tulayḥa (immediate north) then to Mālīk b. Nawīra.
2. 'Ikrima to Musaylima
3. Muhājir to contingents of Aswad etc.; also Ḥaḍramawt
4. Sa'īd b. al-'Āṣ to borders of Syria
5. 'Amr al-'Āṣ to Quḍā'a, Wadī'a and Ḥārith
6. Hudhayfa to Dubba; then to Mahara.
7. 'Arfaja to Mahara
8. Shurḥabīl to Yamāma; then to Quḍā'a
9. Ṭarīfa to Banū Sulaym
10. Suwayyid to Tihāma
11. 'Ala al-Ḥadramī to Bahrayn.

given on p.182 will reveal that most of these expeditions were directed against those areas which were occupied by the claimants of 'prophethood' with the exception of a few tribes in the north (see No. 5 in the Map) or some indifferent ; tribes in the near south (No. 8) but even there the possibility of indirect influence of Tulayḥa cannot be ruled out. This is further supported by the report, if accepted to be equally believable, that within three months of his reign, Abū-Bakr received "such large amounts of Ṣadaqa as to exceed the requirements of the Muslims" (of Medina).<sup>66</sup>

Along with this small group of the non-payers of Zakāt, mention may also be made of the tribes of Ḥaḍramawt who were willing to pay Zakāt but due to sheer mishandling by the collector matters took a different turn. The Prophet is reported to have warned the collectors not to take nice properties in Zakāt.<sup>67</sup> The collector in one of the cases looked at an excellent young camel, his mouth watered over it and he marked it as Zakāt receipt. Another technical flaw in this receipt, as pointed out by the assessee, was that it did not belong to him. This led to the exchange of some hot words and the collector, unmindful of the general situation throughout the country, unjustifiably resorted to force. This worsened the situation and gradually a general revolt spread.<sup>68</sup> As a result Abū-Bakr had to despatch a contingent to suppress the revolt.

The question still remains to be answered as to why

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66. Tab., 1, 1880.

67. Refer to Chapter 2.

68. Tab., 1999 et infra.



# ARABIA

## DURING APOSTASY

UNDER THE INFLUENCE OF ASWAD.

MUSAYLINA

DHUT-TAJ.

TULAYHA.

THOSE WHO REFUSED ZAKAT.

THOSE WHO WERE INDIFFERENT.

REACTIONARIES AGAINST MANHANDLING OF COLLECTORS.

ELEVEN EXPEDITIONS SENT BY ABU-BAKR.

(all in rough boundaries)

The Economic Functions Of The Early Islamic State. {to the end of Umayyad period}



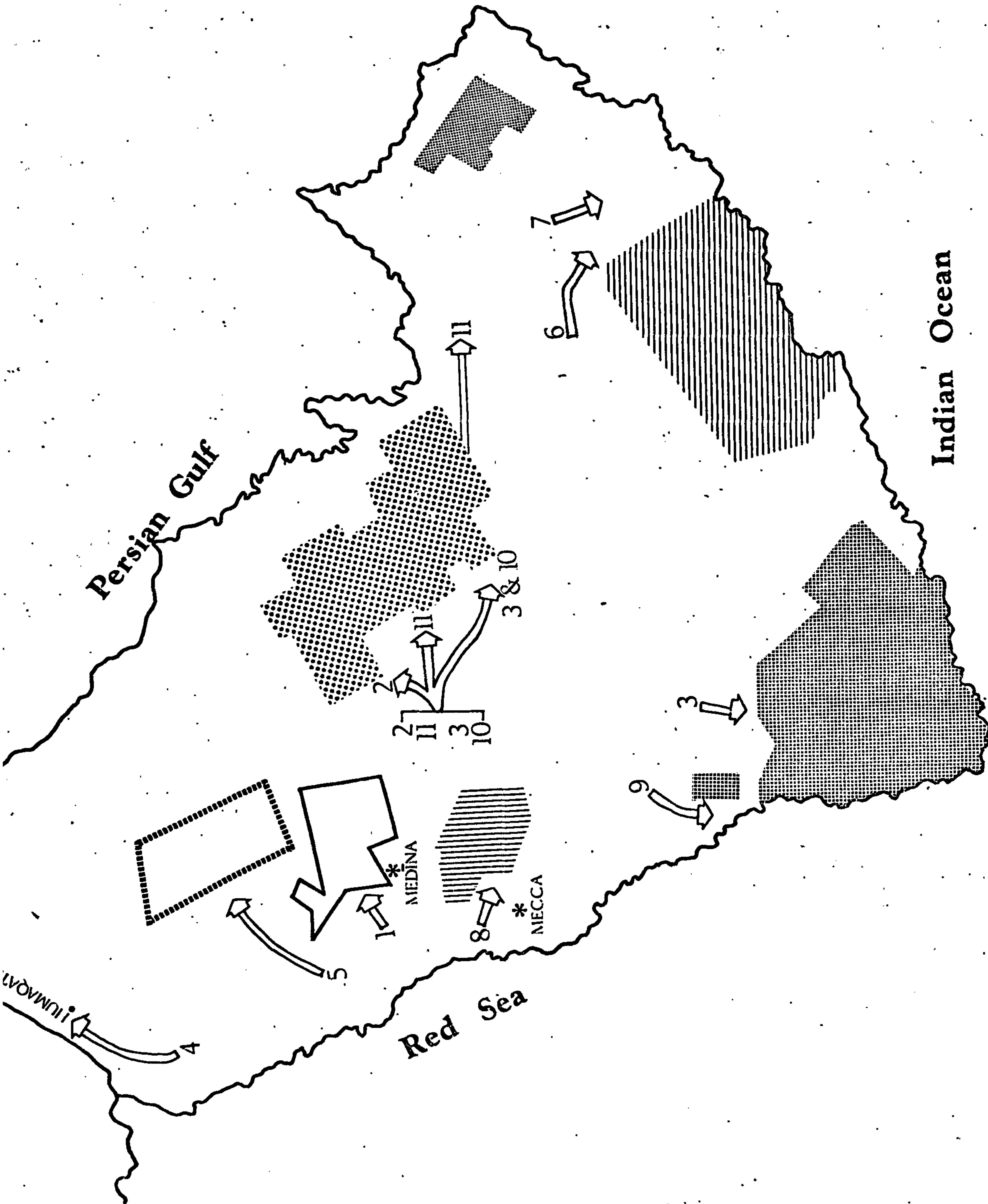
Persian Gulf

Indian Ocean

Red Sea

MEDINA

NECCA



these few tribes refused to pay Zakāt and why the apostates mixed up the issue with their alliance with the new 'prophets'? It is not believable that these tribes also primarily wished to avoid the payment of Zakāt and in order to cope with any threatened action against them took refuge with the claimants of prophethood. It cannot be denied that for long it had been against Arab traditions to pay any tribute to any government (and there was also no organised government in Arabia except in the far south). While the early Greek historian Herodotus mentions the payment of tribute by the subordinate princes to the emperor of Persia, he makes a mention of the Arab exemption from paying these taxes.<sup>69</sup> This fact dates this Arab tradition centuries back. It is also reported by Tabarī that Qurra who was backed by a large army of Banū 'Āmir said to 'Amr: "Arabs won't willingly pay to you the tax on their incomes. But if you condone it, they will listen to you".<sup>70</sup>

But these arguments have partly been examined in the preceding discussion and a further examination of the situation will make it more clear. The presumption of the general refusal on this ground would imply that they were observing all other basic conditions of Islam. But it seems it was not so. The first test of their loyalty to Islam which Abū-Bakr suggested to Khālīd was to see if they also offered their prayers with and like the Muslims.<sup>71</sup> It

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69. George Rawlinson ed: History of Herodotus, London, 1862, Vol. 2, p.401.

70. إن العرب لا تطيب لكم نفسا بالآثاء فإن أنتم اغضيتوهم من أخذ أحوالها فستسمعكم وطيع  
 فإن أبيتم فلا أرى أن تجتمع عليكم  
 Tab., 1, 1895-96.

71. Tab., 1, 1924.



was after this 'acid test' that the question of their conduct about Zakāt arose. Similarly Abū-Bakr wrote to all his commanders: "Give them an opportunity to reform themselves. If they accept, then do not disturb them. But if they refuse, then attack them unless they re-enter into the fold of Islam. Then tell them their rights and duties. Collect whatever is due on them and pay whatever is due to them. Do not give them any time..."<sup>72</sup>

With these instructions it can be concluded that the matter was not only that of their reluctance about paying Zakāt, but also that of their relationship with other essentials of Islam. And this situation had developed most probably under the influence of the claimants of prophethood. Secondly, when the apostates turned against Islam, the demonstration of their defiance of the central authority of Islam was possible only in refusing the payment of Zakāt - the only expression of the supremacy of the centre. If Zakāt was withdrawn the centre's interest in controlling these regions automatically weakened. It would, then, need only a little manoeuvring to finally throw out the non-tribal Muslim administrator and replace him with a 'brother apostate'. Thirdly, as the map shows, it was not the general thinking of most of the Arabs. Those who were under the influence (free or coercive) of the "prophets" and made it a pretext for the non-payment of Zakāt belong to the group of Ṭulayḥa which formed a very small segment of the Arab population. And even that group was the first to re-embrace Islam when

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72. Tab., 1, 1884.

hit back by the Muslim army.

Thanks to the firm and swift action by Abū-Bakr and the lack of unity among the claimants of prophethood, the revolt was suppressed and normalcy prevailed throughout Arabia within a few months. The institution of Zakāt began functioning as it did during the Prophet's time with the difference that perhaps the centre's share in Zakāt collections was now increased. That is why, within three months of Abū-Bakr's reign the Zakāt income exceeded the requirements of the people of Medīna.<sup>73</sup> That Abū-Bakr received in his Bayt-al-Māl a total of two hundred dirhams (excluding the commodities) during his entire period of Caliphate is a figure that does not seem to give an accurate idea of the total Zakāt collections during his period because from Bahrayn alone the Prophet is stated to have received 80,000 dirhams in one year.<sup>74</sup> This amount included Zakāt as well as Jizya. What Abū-Bakr is stated to have received perhaps mentions that amount which he deposited in the Bayt-al-Māl, but not those receipts which were distributed by him without transferring them to Bayt-al-Māl. For no period under study are the figures for the collection of Zakāt available, nor can they be worked out.

The beginning of the era after the Prophet brought with it new problems and challenges in respect of the institution of Zakāt too. The conquests of the new territories added new lands with new owners, new products and new sources of income. The rates of Zakāt which were fixed in the less wealthy Arab society could now be seen to be incommensurate with rising levels of incomes, fixed

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73. Supra.

74. Supra.



salaries to all the army personnel, and addition of much more fertile tracts of land with enormous potentials of yield. It will be recalled that some of the letters that are said to be written by the Prophet contained two claims - payment of Jizya at a fixed rate per head and payment of Zakāt at a fixed rate of the value of the item in question. In other words it was the established practice of the Prophet - the Sunna - to charge Jizya and Zakāt at particular rates. But since the very early days after the Prophet a part of this Sunna was subjected to major changes but the other part was left untouched and later on it was taken to enjoy the sanctity by way of Ijmā', consensus - a legal issue not in the purview of this study to discuss. An example of tampering with the terms of Jizya is the one levied on the non-Muslims of Najrān who, like the non-Muslims of Ḥimyar, Ayla, or Bahrayn were levied at a rate of one dinar per head or in case of Najrān, 2,000 ḥullas ad-valorem. It was reduced and revised by the later rulers so much so that 'Umar II refixed it at 200. The rationale was that because Jizya in this case was levied on heads and the number of heads of Jizya-paying persons had declined, the total should have been reviewed but not the rate per head. But firstly, in the case of per head levy too the rate of one dinar was not followed in newly conquered territories and, secondly, in Zakāt also the subject of levy - land produce or the level of opulence - had undergone considerable change - and thus the paying capacity.

Another point that the early Caliphs and the later rulers had to face was their behaviour towards new items of

wealth which were vaguely mentioned in Ḥadīth or altogether omitted. In this respect the early Caliphs and the Umayyad rulers are to be found exercising their independent judgement on the basis of analogy. Although the report that Abū-Bakr started to deduct the amount of outstanding Zakāt from pensions or salaries<sup>75</sup> (wazīfa) cannot be reliable without a clear explanation of the sense of pensions, because in his reign, as the historians report, neither pensions were fixed nor any salaries distributed, yet a similar report about ‘Uthmān<sup>76</sup> can be treated as believable and seems to be a reasonable measure to receive outstanding Zakāt at source. Mu‘āwīya is also reported to have followed the same practice.<sup>77</sup>

Other problems in this respect were the inclusion of new items of income or wealth for the purpose of the levy of Zakāt. The number of these items was limited to only those which could be found or were made known to the Prophet. The list of such items was gradually expanded. Abū-Bakr levied Zakāt on vars.<sup>78</sup> Zakāt on honey was a disputed issue but ‘Umar was in favour of levying Zakāt on it.<sup>79</sup> He introduced another innovation to distinguish between honey collected in mountains and that obtained in the plains and fixed a rate of 1/20 for the former and 1/10 for the latter<sup>80</sup> perhaps because more labour was involved

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75. A.U., 1125.

76. A.U., 1127.

77. Yaq., p.276. cf. S.A.Q. Husaini: Arab Administration, Madras, 1949, p.112.

78. A grassy herb used for making face powder and perfume. Bal., 85.

79. Bal., 68.

80. A.U., 1490.



in the former case. He also levied Zakāt on sawā'im horses<sup>81</sup> (pastured horses reared for multiplying) and fifths on the produce of waters.<sup>82</sup> Ibn 'Abbās, 'Ali's governor in Kūfa, levied Zakāt on dasātij al kurāth<sup>83</sup> (a vegetable, presumably non-perishable, and used as spice). Mu'āwīya's innovation was to revise the rate of Ṣadaqat-al-fitr in terms of wheat and reduce it to half the quantity as compared with barley<sup>84</sup> as was fixed by the Prophet. He did it perhaps because of their relative difference in quality and price. Ḥajjāj advised for the levy of Zakāt on pearls<sup>85</sup> at a rate of twenty per cent. He also levied Zakāt on vegetables<sup>86</sup> but it seems that the defiance of the levy by a Companion on the authority of a Ḥadīth made him withdraw.<sup>87</sup> 'Umar II changed 'Umar I's policy of levying Zakāt on horses and honey<sup>88</sup> and reduced 'Umar I's rate on fish from 20% (tech. Khums) to 2½%, subject to an exemption limit of the value of 200 dirhams.<sup>89</sup> He also levied Zakāt on minerals at a rate of 2½% and added lentils and pulses to be charged like wheat etc., viz., 5% to 10%.<sup>90</sup>

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81. Ag., 258.

82. Kh., 40. Abū 'Ubayda (894) also adds 'Umar's decision to levy 1/10 Zakāt on ornaments and amber taken out from the sea. But he himself has expressed doubts about the authenticity of the report. His doubts are also justifiable on the basis of analogy because the yields that involve risk and much human labour are generally subjected to the rate of 1/20 and not 1/10.

83. Bal., 85.

84. Mus., 7, 62.

85. A.U., 888.

86. Bal., 83.

87. Yah., 501-3.

88. A.U., 1496.

89. A.U., 889.

90. A.U., 1391-92.

'Umar took a very important decision of changing the rates of Ṣadaqa as a substitute for Jizya leviable on the non-Muslims of Banū Taghlib.<sup>91</sup> The reports recorded by most historians are almost alike. Yahyā reports that 'Ubādā b. an-Nu'mān said to 'Umar: O commander of the faithful! you know the might of the Banū Taghlib that they are facing the enemy and should they assist the enemy against you, it would be a burdensome affair. Therefore if you decide to give them something, do so. Thereupon he made a treaty with them making a condition that they should not baptise their children as Christians and that the Ṣadaqa should be doubled on them.<sup>92</sup> According to this treaty Banū Taghlib paid Ṣadaqa double of what was imposed on Muslims from everything on which Muslims paid the Zakāt, such as camels, cows, sheep, grains, and fruits. But nothing will be taken from anything which falls below the exemption limits.<sup>93</sup> 'Umar took this decision when, in the case of another Arab Christian tribe Ghassān, he had refused such conditions and as a result, the latter had migrated, as is reported, 30,000 strong to join the Byzantine ruler. 'Umar was made to realize his political mistake. It is reported that he later on offered the same conditions to Jabala the Ghassānid chief, but he refused the offer.<sup>94</sup> Later on Mu'āwiya is reported to have succeeded in bringing him round but Jabala died before he could return. Agnides has recorded two more cases of the

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91. Ag., 241.

92. Yah., 207.

93. Yah., 200-210; Bal., 185-86; Kh., 68., for exemption limits see Chapter 2.

94. Bal., 142.



same nature during the Umayyad period: those of Balkh and Sughd - both were exempted from Jizyā and levied Ṣadaqa.<sup>95</sup>

Along with these new levies, decisions were taken about giving exemption to some new items. 'Umar exempted pomegranates and apricot from Zakāt, because 'they were of the thorny trees' although their yield was many times more valuable than that of vineyards.<sup>96</sup>

There was a precedent that the Prophet received advance payment of Zakāt, but there was no precedent of putting it off. 'Umar, at the time of famine in and around Medina ('ām-ar-ramāda) put off the Zakāt collections for a year perhaps in Arabia only and then collected the outstanding claims the next year.<sup>97</sup> 'Alī exempted apples and similar fruits. There is also a report that the provincial government of Iraq exempted mineral products like oil, and mica (ze'baq) in order to boost up its production.<sup>98</sup> 'Umar II, contrary to the decision of 'Umar, exempted sawā'im horses and honey.<sup>99</sup>

In respect of land 'Umar decided that if the owners of an agricultural land in Iraq embraced Islam before their conquest, their land would be treated as Zakāt ('Ushr) land but not Kharāj land. Baladhuri reports of some such lands at 'Uyūn at-Ṭuf (the springs of at-Ṭuf).<sup>100</sup> Similar was

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95. Ag., 368.

96. Yah., 548; Bal., 69.

97. Sad, III, 1, 223.

98. Al-Kharbūtli, 360. The source referred to by the author is Vol. I of Ibn Ādam's Kitāb al-Kharāj, p.7. The original source referred to by him seems to be an unpublished work, and could not be confirmed. This story is, however, not to be found in any of the sources referred to in this study.

99. Supra.

100. 296.

the case with many lands along the Euphrates.<sup>101</sup> Hajjāj converted all such lands into Kharāj lands. 'Umar II again made them 'Ushr land. The Governor 'Umar b. Hubayra again levied Kharāj on them. But Hishām reconverted many of them into 'Ushr lands. At last the 'Abbāsīd Caliph Maḥdī restored them according to 'Umar II's decision.<sup>102</sup> The border belt of Syria which was allotted to Muslims also paid 'Ushr.<sup>103</sup>

The total collections of Zakāt cannot be determined for any period up to the end of Umayyad rule. The historians and geographers have given many valuable statistical details about the later period but they cannot be made a point of analogy or extrapolation for want of information about so many factors like the changes in population, religion, land tenancy system, and other sources of income and the per head average holding of wealth liable to Zakāt. While income by way of Zakāt and Jizya from Baḥrayn in the Prophet's time is claimed to be 80,000 dirhams, it rose to 500,000 dirhams in 'Umar's time.<sup>104</sup> This ratio of increase within a few years suggests the absurdity of any guess work in respect of a whole province, let alone the whole of the empire.

The policy of local distribution of Zakāt continued at many places during 'Umar's time. According to a report by Sa'īd b. Musayyib, Mu'adh was appointed as collector of Banū Sa'd or Banū Dhubyān. He collected their Zakāt,

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101. Bal., 361.

102. Ibid.

103. See Chapter 11 discussion on 'Agriculture'.

104. Sad, III, 1, 216.



distributed it locally, and returned empty-handed.<sup>105</sup> Sa'd (b. Waqqās) who was a co-collector with Ya'ḷā b. Umayya reported: We used to go out for collecting Zakāt and had nothing with us on our return except our (lashes) (used for beating the riding animals).<sup>106</sup> The situation changed only with the change in the level of incomes, brought about, inter alia, by distribution of Zakāt. This policy continued at least for about a century in some districts or another. This was perhaps one of the factors that made it difficult to record the figures of Zakāt. This may, however, be conceived that Zakāt proceeds should have gradually increased with the increase in opulence and fresh conversions to Islam. During 'Umar's time the converted Muslims in far-off districts like Barqa and Zawīlā are reported to have started paying their Zakāt (and 'ushr).<sup>107</sup> That 'Umar had to add new orchards as Ḥimā and 'Uthmān made further additions to them suggest the ever-increasing number of Zakāt-camels and livestock. 'Umar and 'Alī are reported to have pressed that a person receiving subsidies must pay Zakāt.<sup>108</sup> It has already been recorded that in many a case it was deducted at the time of the payment of these subsidies.<sup>109</sup> In the later period when chaos set in and when the confidence of the Muslims in the general integrity of their rulers was weakened the attitude of many might have been affected and they might have liked to stop paying their Zakāt to the government. But it seems that the Companions of the

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105. A.U., 1912.

106. A.U., 1914.

107. Bal., 226.

108. A.U., 1803-5.

109. Supra.

Prophet not only continued to pay Zakāt to the government but also convinced other Muslims to do the same. They included persons like 'Ā'isha, Ibn 'Umar, Sa'd, Abū-Hurayra, and Abū-Sa'īd al-Khudarī.<sup>110</sup>

There are no reports of any change brought about in the mode of assessment of Zakāt. The probable reason could be that the early Caliphs' faithful following of the Prophet's system made it a matter of convention and any deviation from it would be tantamount to offending the Zakāt payers - the Muslims.

The policy of distribution was affected by many considerations generally without prejudice to the Qur'ānic heads of expenditure. Local distribution was preferred, but it seems that the requirements of the central or provincial Bayt-al-Māl were also not neglected. The practices during early Caliphate have already been discussed in the preceding pages. It is reported that 'Umar II wrote to his collectors to send half the Zakāt to the centre and distribute the other half locally. But the next year he wrote to them to retain all the Zakāt collections<sup>111</sup> and distribute them locally presumably because the centre did not need it. 'Umar I seemed to be very particular about spending the Zakāt collections among the Arab villagers. This is evident from the report that he, while on his death-bed, advised his successors to return among them whatever was received so much so that each of these villagers should become the (prospective) owner of a hundred camels.<sup>112</sup>

110. A.U., 1786, 88, 89; Sad, III, 1, 105; Kath., 9, 5.

111 A.U., 1901.

112. A.U., 567-68.



In his later period he is also reported to have made a change in the general policy of distribution. Formerly he believed in discriminating between them on the basis of their services to Islam but later on he thought in terms of equal distribution.<sup>113</sup> He is also reported to have included non-Muslims among the beneficiaries of Ṣadaqa by virtue of their being destitutes, 'masākīn'.<sup>114</sup> The other policy that he liked to press was about the per-head share of distribution. He believed in giving a quantity to each beneficiary which could make him well-off<sup>115</sup> and needless of Zakāt share the next year. 'Umar II included in the list of beneficiaries the non-Muslims in order to induce them to Islam. He is reported to have given a biṭrīq (patriarch) one thousand dinars to 'reconcile his heart.'<sup>116</sup> He wrote to his governors to relieve the resourceless debtors of their liabilities and pay for the dower of the needy persons.<sup>117</sup> He also pressed for an equal distribution of Ṣadaqa among the Arabs and non-Arabs.<sup>118</sup>

The policy of distribution of Zakāt collections pursued by the rulers can also be inferred from the way they practically utilized these funds. As stated above Zakāt funds were distributed within the tribes of the paying locality for as long as there were deserving cases. In case of dire necessity the centre could take some or the

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113. A.U., 572.

114. Bal., 135; Kh., 72.

115. A.U., 1774.

116. Sad., 5, 258.

117. Sad, 5, 276. While it cannot definitely be claimed that these payments were made only from Zakāt money, there is valid reason to believe that because these heads are covered by the Qur'ānic heads of Zakāt expenditure 'Umar II would have utilized these funds for them. This is confirmed by other reports too (infra a).

118. A.U., 574.

whole of it. After the minimum level of incomes of the beneficiaries was achieved - when they were no more entitled to receive Zakāt - the entire amount of Zakāt could be sent to the centre. It is reported that collector Mu'adh remitted a portion of Zakāt to 'Umar on the ground that it exceeded the requirement of his district. Within the next two years the whole of the Zakāt receipts are reported to have been declared by him as surplus from local requirements and remitted to Medina.<sup>119</sup> The report suggests that in the district, the general level of incomes was relatively higher than in other districts and as a result the number of deserving persons was also smaller. Moreover, through the process of redistribution of wealth a certain minimum level of incomes was achieved so as to remove them from the list of beneficiaries. This policy seems to have been pursued even in the far-flung newly-converted Muslim communities of Barqa and Zawīla<sup>120</sup> where the Zakāt collections were distributed in toto, during 'Umar's time. That 'Umar II returned the Zakāt proceeds of Uman for local distribution<sup>121</sup> is a report that suggests that at least some of the rulers before him did not care much to satisfy the local requirements. But along with it the report that the Zakāt of Banū Kalb was declared surplus to local requirement and was retained for expending the following year<sup>122</sup> suggests that by that time the distribution of Zakāt had already brought in some degree of satiety at many places.

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119. A.U., 1911.

121. Bal., 88.

120. Bal., 226.

122. Sad, 5, 257.



The centre spent the Zakāt funds generally on the items as laid down in the Qur'ān. Some of the instances of such expenditures would give an idea about the interpretation they gave to these items. According to Abū Dā'ūd, Abū-Bakr gave 12,000 sā' of food grains from Ṣadaqa of Yamāma in lieu of the hundred camels which were payable to Mujjā'a by way of blood-money.<sup>123</sup> When Salma b. Qays, the messenger of an army commander was returning to join his army units, 'Umar gave him from the Bayt-al-Māl two camels and advised him to give them to a poorer man he found.<sup>124</sup> It was perhaps Zakāt funds which were utilized by 'Umar in setting up meal-houses for the destitute wayfarers and in storing along the route between Mecca and Medina 'what would relieve those unable to continue their journey.'<sup>125</sup> 'Uthmān used to distribute meals in the mosques presumably for the devotees, the wayfarers and the destitutes.<sup>126</sup> He also utilized Zakāt money in buying a prisoner (of war) for digging graves.<sup>127</sup> Many of the Umayyad rulers used Zakāt funds in perfuming and decorating the Prophet's Mosque on Fridays and during the month of Ramaḍān.<sup>128</sup> 'Umar II wrote to his governor that the debtors may be helped in discharging their liability with the help of Zakāt funds collected from Banū Kalb but declared as surplus from local claims and carried forward for the next year.<sup>129</sup> He fixed a stipend of three dirhams (per month?) for each of the destitutes and fifty dirhams for each of the crippled in Baṣra probably

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123. Abu Daud, 3, 208.

124. Tab., 1, 2719.

125. Sad, III, 1, 203.

126. M.B.Y., 31.

127. Bal., 249.

128. Sad, 5, 245.

129. Sad, 5, 257.

from Zakāt funds.<sup>130</sup> He also provided with Zakāt money bread and curry to the prisoners.<sup>131</sup> Walīd was among those Umayyad rulers who took great interest in public welfare activities. But his period was perhaps the most fertile period for the Bayt-al-Māl. It cannot, therefore, be claimed that all these welfare services were rendered with Zakāt money, nor can they be categorically attributed to general incomes. That he spent the amount from the Bayt-al-Māl is clear; but from which account, one cannot say. In any case if he spent these funds from general sources, the Zakāt funds must have far exceeded the requirements of the genuine beneficiaries. It will therefore be interesting to mention some of the welfare services that he rendered. Yaqūbī treats him as the first person who set up hospitals (bīmāristān) and guest houses, fixed subsistence for the blind, destitutes and lepers and distributed meals during the month of Ramaḍān.<sup>132</sup> 'He used to circumcise orphans and appoint teachers for them and assigned to those crippled by disease, persons to attend them and for the blind those to lead them and settled a daily allowance on the doctors of law and forbade the poor from begging and assigned to them what would suffice them for their maintenance. He used to give platters of silver which were divided among the readers of the Qur'ān at the Mosque of Jerusalem.<sup>133</sup> It would be noticed that most of these expenditures could be made from Zakāt money whether or not he had done so.

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130. Tab., 2, 1367.

131. Kh., 88.

132. 3, 36; also Tab., 2, 1271.

133. Tab., 2, 1271; Stī, 228.



Zakāt was one of the sources of income to Bayt-al-Māl but its management could not possibly be like the management of other incomes due to a multiplicity of factors. Firstly, a portion of it was to be distributed locally and thus it was bound to become partially a provincial subject and partially - sometimes even nominally - a central. Secondly the heads of Zakāt expenditure were strictly confined as compared with general incomes. Thirdly, it was receivable in a variety of kinds ranging from fish to camels and from honey to lentils. Although the Zakāt levy could be exchanged in terms of money or a suitable commodity the Zakāt payer would generally find it convenient for him to hand over the commodity which had been assessed. As a result the collection of Zakāt goods brought with it a problem of providing godowns for storing commodities and orchards for rearing animals. It is possible that perishable items like green vegetables and fruits were exempted from Zakāt because of storage problems. To overcome the problem of storage of non-perishable commodities and rearing the animals, godowns were built and *Ḥimās* earmarked. Like the Prophet, Umar is also found personally taking care of the camels of Zakāt and preparing a list of the thousands of animals according to their colour and age.<sup>134</sup> The Prophet and the early Caliphs continued to earmark public lands as *Ḥimā* according to requirements. In order that general incomes and Zakāt incomes were not mixed up,

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134. Aḥir, 3, 43

separate officers were generally appointed to look after these accounts. This is confirmed by the lists of officials under Umayyad Caliphs. Whether there was any mismanagement of Zakāt funds can indirectly be inferred. The Pious Caliphs' period cannot be presumed to have developed any such tendency and, for that matter, the reign of Mu'āwīya too. Zakāt was treated as a ritual ('ibāda) and not a worldly affair (mu'āmalā) and any deviation from the early conventions could offend the senior Companions of the Prophet and even Mu'āwīya would not take the risk of offending them. But the later situation of anarchy with four different persons claiming Caliphate and controlling their respective regions<sup>135</sup> did great harm to the proper functioning of different institutions including that of Zakāt. The confusion, however, cleared in a few years during 'Abd-al-Mālik's reign. Abū-'Ubayd's report that during the last years of Sa'īd b. Jubayr there arose some grievances about corruption in the expenditure of Zakāt,<sup>136</sup> is vague but not improbable in a general sense. Mas'ūdī's report that 'Abd-al-Mālik asked for money to be distributed as pensions and the fact that on one of the bags brought to him, was written "The head of Ṣadaqa"<sup>137</sup> helps us in reaching an interesting conclusion, although the purpose of the story apparently seems to be to give the impression of 'Abd-al-Mālik's dislike of Banū Hāshim who were given this bag and were chidden by 'Abd-al-Mālik when they refused

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135. Yaq., 3, 10.

136. A.U., 1811.

137. Mas., 3, 324-25.



to accept it.<sup>138</sup> The story suggests that receipts from different items were kept in bags. Secondly, bags containing the receipts of Zakāt at least were inscribed with its special head lest it should be mixed up with other incomes. As regards the other part of the story it can be safely suggested that 'Abd-al-Malik would have passed on the bag quite inadvertently because he was an intelligent and well-behaved prince and knew how to observe the decorum of his throne. This cheap method of offence was not becoming of him.

During 'Umar II's reign the whole administration was streamlined. The Bayt-al-Māl was divided into separate departments, each comprising the income of one head only. Thus khums incomes were kept separate from Zakāt, and Zakāt incomes separate from Ghanīma, and so on.<sup>139</sup>

The integrity and character of the Zakāt collectors and their officials would have been largely responsible for the nature of public response to this levy. A dishonest and scrupulous official would harm the popularity of the institution. The general revolt in Ḥaḍramawt during Abū-Bakr's reign was caused simply by the irresponsible behaviour of the collector.<sup>140</sup> No such incident seems to have been repeated later on. What is interesting to observe is that 'Umar-like rigidity in character was not found in all the officials at any time. The Prophet censured his collector Ibn al-Lutbiyya for accepting gifts from the tribes in his

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138. Ibid.

139. Sad, V, 295.

140. Supra.

jurisdiction. When Mu'ādh, during 'Umar's reign, returned to his house empty-handed, his wife criticised him and compared him with 'other officers who returned home with loads of gifts with them'.<sup>141</sup> This is an interesting comment on the general behaviour of the officials and justifies 'Umar's punitive action against them by taking away half or in some cases the whole of their property.<sup>142</sup>

In spite of this tendency in the very early period it does not seem to have taken appalling proportions till late in the Umayyad period, although this period is assumed to be permeated with evils in the government, as also in the society. How, then, during this period was Zakāt managed? This can be inferred from the speech given by Yazīd III. This speech is, in fact, a statement of 'confessions' of the misdoings of the past governments and also reflects the main grievances of the people. If this statement does not contain any confessions about the mismanagement of Zakāt funds or misbehaviour of the officials it may imply that there was no popular agitation against the institution or its management.

"I shall also not transfer money from one place to another unless the place has been well protected and its people are given sufficient to strengthen themselves,"<sup>143</sup>

is the only sentence which, in the immediate context of the preceding discussion about the local distribution of Zakāt, may divert the mind to the transfer of the whole Zakāt to

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<sup>141</sup>. A.U., 1912.

<sup>142</sup>. Chapter 3.

<sup>143</sup>. See Chapter 3 for full speech.



the centre before Yazīd III's period. But in view of the fact that ever since 'Abd-al-Mālik's period the people had become over-sensitive to the centre's supremacy over the provincial Bayt-al-Māl,<sup>144</sup> the proposition that the statement alludes to Zakāt receipts cannot readily be accepted. And this fact implies the absence of any public grievance about the management of Zakāt funds.

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144. Ibid.

## CHAPTER 8

JIZYA AND KHARĀJ  
(Poll-tax and Land-tax)

The Qur'ān does not prescribe any rate of poll-tax (Jizya) nor does it suggest if it is to be levied per head or in aggregates. It was levied on non-Muslim communities of Arabia during the Prophet's time.

The words kharāj and kharj are used in the Qur'ān only once but not in the sense of land-tax: "am tas'aluhum kharjan? fa kharāju rabbika khayr" (or dost thou ask of them any tribute? But the bounty of thy Lord is better...) In the Ḥadīth the word has been repeated many times and used to signify a variety of meanings in addition to the Qur'ānic sense of return, reward or bounty. Many a time the words Jizya and Kharāj have been interchanged in the works on Ḥadīth and history. For example the Prophet's advice narrated by Abū-Dā'ūd recommends a reduction in the amount of Kharāj on one Abū-Tība who cupped him.<sup>1</sup> Here the word Kharāj is used in the sense of a master's levy on his slave.<sup>2</sup> Balādhurī reports that the Prophet offered two Najrānite priests to take a serious oath with him (mubāhala) but they agreed to pay Kharāj.<sup>3</sup> Here the word Kharāj is used in the sense of poll-tax. When the same Balādhurī reports about later representations made by the Najrānites he uses the word Jizya: "Najrānites requested 'Umar II to reduce their

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1. Abu Daud, 3, 363.

2. al-Qastalānī, Irshād as-Sārī (commentary on al-Bukhārī), Vol. 4, p.40.

3. Bal., 75, 76.



Jizya."<sup>4</sup> But the more interesting thing is that the reported copy of the letter of treaty with them also uses the word Kharāj for Jizya levied on them: "fa mā zādat ḥulal al-kharāj aw naqaṣat 'an al-awāqī", (thus whatever exceeds the suits of (stipulated) Kharāj or falls short of the 'uqīyya of silver, will be adjusted...) "<sup>5</sup> When 'Umar ordered his officer in Sawād to allot somebody a stretch of land for horse-rearing he is reported to have written: "If it is not a 'Jizya-land' and no 'Jizya-water' flows through it, then give it to him."<sup>6</sup> Here by the word Jizya-land is meant Kharāj-land. 'Umar II is reported to have termed even the income of prostitutes as Kharāj.<sup>7</sup> He is reported to have used the word sadaqa too to signify general taxes, Jizya and Kharāj.<sup>8</sup> These are only a few of the many instances of interchange of the two terms. In the following discussion, however, the two words will be used in the meaning fixed by the later jurists and generally understood.

Albeit the words conveying the sense of levy, the question is if the Prophet or the early Caliphs levied any tax on non-Muslims over and above the per-head levy termed as Jizya? Of late there has been some controversy on the issue. Some scholars suggest that the concept of Kharāj as distinct from Jizya originated with 'Umar II, while some others attribute it to even a later period.<sup>9</sup> But Dennet's

4. Bal., 78.

5. Bal., 76.

6. Yah., 43.

7. A.U., 120.

8. Sad., 5, 277.

9. For example, Wellhausen, J: The Arab Kingdom and its Fall, tr. Margaret Graham Weir, Khayat, Beirut, 1963, pp.282, 284, etc. Bell, H.I.: "The Administration of Egypt under the Umayyad Khalifas", Byzantinische Zeitschrift 28 (1928) pp. 280-82. Al-Rawī, Thābit Ismā'īl: al-Iraq fi 'asr al-Umawī, Baghdad, 1965, p.56.

masterly work on the subject<sup>10</sup> repudiates many of the arguments of these scholars and with great skill, candour and sympathy, attributes both the taxes to 'Umar I's reign. His approach leads one to assume - although he did not directly deal with the point - that a double tax on non-Muslims did not enjoy explicit or tacit approval of the Prophet - it was 'Umar's innovation. There is some evidence to justify setting aside any such assumption. But it seems more appropriate to first apply common sense logic to examine the question.

It cannot be denied that Zakāt is prescribed for Muslims and Jizya for non-Muslims. It also cannot be denied that Zakāt is incumbent on all the Muslims (except the insane, perhaps) if they possess gold, silver, articles of trade, camels, livestock, and land produce, irrespective of age, sex or profession. On the other hand, poll-tax (Jizya) is not to be levied on women, children, the old and infirm, and the monks. It also cannot be denied that the rate of Zakāt ranges between 2½ to 10% of the holdings while the rate of poll-tax that was levied by the Prophet was one dinar per head. Now if it is believed that the Prophet prescribed only these two levies, one for Muslims

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9. (Contd.) Also (Becker, C.H.: Beiträge, Vol. II, p. 82; Caetani: Annali dell' Islam, Vol. V, pp. 282-83; Lammens, 'Le Califat de Yazīd I er' Melanges de la Faculte Orientale, Universite Saint Joseph, Beyrouth, V (1911), pp. 712-724; Grohmann: Zum Steuerwesen, pp. 124-25: cf. Denn, pp. 4-6).
10. Dennett, Daniel C. Jr.: Conversion and the Poll-Tax in early Islam, Harvard University Press, 1950.



alone and the other for non-Muslims alone, it will imply that he treated non-Muslims as a more privileged and superior class of citizens. That is why children, very old men, infirm persons, women and priests making up for about two-thirds<sup>11</sup> of population were exempted from the levy of poll-tax while none of the Muslims possessing wealth was exempted. Similarly the non-Muslim population got off after paying one dinar per assessed head while the Muslims had to surrender 2½% to 10% of their wealth. In an agricultural or nomadic society - and, for that matter, in any other modern society - where Muslims and non-Muslims have a similar level of affluence, the Muslims will have to pay many times more than the non-Muslims. Moreover, the Zakāt-paying class is deprived of enjoying even the indirect benefit of Zakāt<sup>12</sup> while the Jizya-paying class can also enjoy the benefits of the payments if the amount is spent on public welfare projects. The non-Muslim destitutes have even been included among the beneficiaries of Zakāt funds without contributing anything to it.<sup>13</sup> Furthermore, the amount of poll-tax can be reduced but the rates of Zakāt cannot. These points place the Muslims at a position of great disadvantage as compared with the non-Muslims. This assumption goes against the Qur'ānic spirit of poll-tax, and it cannot be denied that the Prophet should not have neglected this point while taxing the two communities (otherwise, as

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11. For computing these figures here and hereinafter see the formula at fn. 119 page 433.

12. See Chapter 7.

13. See Chapter 7.

discussed above, the non-Muslims will always have an edge over the Muslims. This apparently seems to be an unbelievable situation. A short-cut way to the solution of the problem could be to claim that all the reports about the rates and subjects of Zakāt are doubtful or that the reports about such a meagre rate of poll-tax per head are not believable. But this presumption cannot be supported by any convincing argument. Another way of solving the problem could be the examination and analysis of statistical evidence but unfortunately the relevant statistical data are missing. The only course that remains is to refer to history. Let us proceed with the premise that 'Umar levied a land-tax over and above the poll-tax; this he should also have done in Arabia. And had it been so there should naturally have been a reaction to this new pinching measure. Historians have been very careful in recording any tendency of reaction or protest which was caused as a result of any policy measure or as a result of alleged injustice done by any ruler. They have been so meticulous in this respect as not to spare even the Prophet's actions and their reactions <sup>14</sup>.

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14. History is replete with such instances; for example, the reaction of the Companions against the Prophet's consent to strike off from his name the words 'The Apostle of God' (rasūl-Allāh) in the document of treaty with the Quraysh at Hudaibiya in A.H.7. Then the general reaction of the Muslims on the Prophet's advice to slaughter their animals and return from Hudaibiya without a pilgrimage. Or, the Ansār's (Helpers) protest over the Prophet's policy of distribution of the spoils of war at Hunayn (passim). Apart from such group protests, accounts of individual protest abound in number.



But books of history do not record any such reaction in Arabia or even report of 'Umar's changing the policy of taxing the Arabs. It also cannot be claimed that most of the Arabs had embraced Islam before 'Umar could think of any such measure because, accepting the initial assumption, Islam was an economically expensive affair and the obligation of Zakāt, as compared with one dinar of poll-tax, was a disincentive to embracing Islam. 'Umar exiled some of the organized Jewish and Christian tribes. But this was confined to the tribes in Khaybar, Fadak and Najrān. The people of Khaybar were working as labourers and were not required to pay any tax. The people of Fadak were required to pay half of their produce but no poll-tax. Other Jews, Christians and Magians generally remained where they had been. This means that 'Umar did not introduce any change in taxation in Arabia; the non-Muslims paid only what they had been paying during the Prophet's time. Now if it is accepted that the Prophet's period was a 'Kharāj-free' period it will lead us back to the starting point of controversy that non-Muslims were given a more favoured treatment as compared with Muslims and this assumption makes it irreconcilable with the Qur'ānic objective of levying Jizya (poll-tax). Fortunately we have some pieces of evidence in history that give us a clue to get us out of this tangle and save us from groping in the dark.

'Yaḥyā reports, on the authority of Ḥasan ibn Ṣāliḥ, that...any land that belonged to the Arabs - from whom no Jizya is accepted but only conversion and war - is 'Ushr land i.

Thus acted the Prophet with regard to any Arab land captured by him. He did not impose Kharāj on it, but it became 'Ushr land'.<sup>15</sup> According to Abū-Yūsuf: "The lands of Arab idolators and the lands of all those from whom Jizya is unacceptable and who have to choose between conversion to Islam or death, are 'Ushr lands, even if the Imām has conquered the land by force. The reason is that the Prophet conquered many Arab regions and left them (undistributed) so they were to be treated as 'Ushr lands to the Last Day."<sup>16</sup> Balādhurī reports the following situation about Bahrayn: "Early in the year A.H.8 the Prophet deputed al-'Alā' to Bahrayn...The two princes embraced Islam and with them all the Arabs and some of the non-Arabs, Magians, Jews, and Christians made a treaty with al-'Alā' which reads as follows: In the name of God....etc. This is a covenant which is agreed between al-'Alā' and the people of Bahrayn. It has been agreed in the document that they will divide with us their dates keeping the Muslims away from labour. Cursed be the one who does not fulfil it! And per head Jizya will be one dinar from each man of age."<sup>17</sup> According to another report by Balādhurī al-'Alā' reported that he used to collect 'Ushr from Muslims (of Bahrayn or Hajar) and Kharāj from non-Muslims (mushrik).<sup>18</sup> According to a third report by the same historian "The Prophet did not (need to) have a war against Bahrayn. Some of the people willingly accepted Islam while

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15. Yah., 45.

17. Bal., 89.

16. Kh., 39.

18. Bal., 90.



some others agreed to pay half of (the produce) of grain and dates."<sup>19</sup> This evidence is suggestive of the situation that the payment of land-tax by the pagan Arabs by way of Zakāt ('Ushr) was taken for granted. Jizya was imposed only on those who had a 'foreign' religion: Jews, Christians, Magians. The reason is also to be found in the same evidence. Arabia had become the nucleus of Islam. It was perhaps taken for granted that because Islam originated in Arabia, the Arabs were to follow no religion other than Islam. If they would follow a religion which originated outside the peninsula, they were to be treated as non-Arab. That is why the organised communities of Jews and Christians were gradually ousted from Hijāz although they were still within the Muslim lands while individual Jews and Christians were not disturbed. The report that there was a tax-paying Christian in Mecca during the Prophet's time is surprising but not unbelievable.<sup>20</sup>

The above derives at the following points: In the case of land produce Muslims and the pagans of Arabia had to pay similar rates of taxes, and this levy was treated as 'Ushr. Thus in a sense land-tax was not levied on them because they were prospective Muslims. In another sense land-tax was levied on them with the same rates and conditions as those of Zakāt and this tax was termed as 'Ushr, Ṣadaqa or Zakāt. This levy was over and above the levy of poll-tax in the case of Jews, Christians, and Magians

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19. Bal., 90-91.

20. Yah., 230.

whose position was somewhat different from pagan Arabs. The non-Muslims of Baḥrayn were required to share their produce over and above the payment of a per head tax.<sup>21</sup> Christians and Jews of Najrān were required to pay 2,000 dresses (ḥulla), each being worth forty dirhams.<sup>22</sup> This may be a lump sum of tax payable in two equal instalments. It is possible that the aggregate amount was fixed keeping in view the number of heads. For example, there might be 8,000 Jews and Christians who were required to pay the tax at a rate of 1 dinar per head. But as a community they were allowed to pay the amount in terms of dresses valuing the required amounts. Other charges on them were the loan of war material and provisioning of Muslim messengers for a month. In view of such a large number of dresses, it seems, they were generally craftsmen and not land owners or farmers. The Jews of Maḡnā' were to pay a quarter of their woven and spun material, horses, coats of mail and produce of fruits.<sup>23</sup> The Scriptuaries of Tabāla and Jurash were levied per head tax amounting to one dinar each and provisioning of Muslims for three days.<sup>24</sup> Similar conditior is were made for the smaller communities of Ayla and Adhruh.<sup>25</sup> But these seem to be very small communities probably dwelling in a village or two with small holdings and as a result having too meagre resources to pay anything more than one dinar per head. This becomes clear with their total payable amount, viz., 300, 100 and 100 dinars respectively.<sup>26</sup> ;

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21. Supra.

23. Bal., 71.

25. Bal., 71.

22. A.U., 502.

24. Bal., 70.

26. Bal., 71.



The Prophet levied a per head charge in some cases and a tax on produce or trade in others. But both of them could not be termed by him as Jizya as prescribed in the Qur'ān, because if land-tax had also been termed by him as Jizya, it would not have been levied by later rulers on Muslims and then approved by all the jurists because the Prophet is reported to have said that there is no Jizya on Muslims and that if anybody accepted Islam he would be exempted from Jizya.<sup>27</sup> The Qur'ān has expressly prescribed it for the Scriptuaries and the Prophet extended it only to the other non-Muslim communities. Thus while it is certain that he levied a tax on some groups of non-Muslims over and above poll-tax it is not certain as to how he named it. This levy in some cases was a share in total land produce, while in other cases it was the provisioning of Muslims for a few days, or the supply of some arms etc. by way of loan.<sup>28</sup>

According to the Qur'ān, the spirit of poll-tax seems to be an expression of non-Muslim subservience (to Islam or to Muslims).<sup>29</sup> But since the very beginning poll-tax and protection (dhimma) became interdependent and the concept of guaranteeing protection to the lives and properties, etc. of non-Muslims overshadowed the Qur'ānic concept of subservience and humility (wa hum ṣāghirūn). The Prophet is reported to have said: Beware! whosoever perpetrated any injustice to a protected person (dhimmī), or broke a promise

27. Abu Daud, 3, 231-32.

28. *Infra*.

29. see Chapter 1.

given to him or burdened him beyond his capacity or took away from him anything without his free will, I shall plead for him on Doomsday.<sup>30</sup> A look at the documents of the Prophet's treaties will reveal emphasis on the state responsibility of guaranteeing them protection. Professor Watt attributes this emphasis to the early nomadic custom.<sup>31</sup> Whatever the exact cause, the concept seems to have overshadowed the Qur'ānic spirit. The treaties in Iraq and Syria can be adduced in support of this theory.<sup>32</sup>

The policy of land-tax was similarly based on the moral principles of justice and equity. And this concept underlay, at least in principle, throughout this period. While Sawād (Iraq) was conquered and assessed for the levy of land-tax, 'Umar called for two local persons competent to report about the pre-Islamic levy.<sup>33</sup> He then fixed the rate of tax in the light of their evidence. He always insisted that his collectors be kind and just in assessing and levying land-tax. He is reported to have reminded his successors not to tax the protected communities beyond their capacity.<sup>34</sup> When Egypt was conquered 'Umar advised his governor to find out from the local officials the fiscal secrets of its prosperity, and then devised his policy of taxation in Egypt. In this case also he would like to have direct personal evidence of a local Copt and ensure that justice was observed.<sup>35</sup> When a community was taxed on this principle, no more was to be

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30. Abu Daud, 3, 231.

31. Watt, (Prophet), 219-20.

32. *Infra*.

33. Kh., 21.

34. Kh., 21; A.U., 334; Yah., 232.

35. I.A.H.(M), 161.



exacted even if they could bear it. But if they were unable to pay it, the levy was to be made easier for them so that they were not burdened beyond ability. And this policy was adopted by them everywhere.<sup>36</sup> In spite of this basic principle of the policy, he repeatedly enquired of his collectors if they had done full justice to tax payers, whenever they sent to him their tax collections. He continued to warn his officers who were compelled to assure him that the amount of taxes was easily payable by the assesseees.<sup>37</sup> During 'Uthmān's reign one of the conditions that was laid down in the treaty with the prince of Herat was that he would equally distribute the burden of tax among his subjects, which he had agreed to pay to the Muslims.<sup>38</sup> 'Alī advised his officers not to sell out the horses of the tax payers nor their oxen or cows, nor their summer or winter clothing and insisted on them being kind and lenient and to give them convenience.<sup>39</sup> According to Yahyā, a man from Thaqīf reported: "'Alī b. Abī Ṭālīb appointed me to supervise Buzurja Sābūr and advised me not to flog anyone or sell his provisions, his winter or summer garments, nor the beasts he works with, and never to let a man stand (in the sun) in order to collect dirhams. So I said: O Commander of the Faithful! Then I shall return to you as I left you! And he replied: Even if you return as you left! Beware! We are ordered to collect from them with

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36. Yah., 29; Kh., 23; A.U., 106, 114.

37. A.U., 106; Bal., 226. 38. Bal., 396.

39. A.U., 116.

'leniency', ('afw) which means 'favour'."<sup>40</sup> During Mu'āwīya's reign, when the governor of 'Irāq was informed of some injustices done by the Muslim collectors, he replaced them by the natives.<sup>41</sup> His standing orders for the collectors were to behave leniently with the tax-payers and not to compel them to sell out foodgrain and livestock in order to pay their taxes.<sup>42</sup> Hajjāj, unnerved by the decline in taxes in Iraq, requested 'Abd-al-Malik to allow him to enhance the rates. 'Abd-al-Malik declined his request and advised him to be content with whatever he got and to refrain from greed. He also advised him to 'leave something for the farmers so that they may live a comfortable life'.<sup>43</sup> 'Umar II was very meticulous in collecting only as much as was just and clean (ṭayyib).<sup>44</sup> He wrote to his governor: The religious spirit of the economic laws is justice ('adl) and generosity (iḥsān). Survey the lands. Appraise the crops. Do not put the burden of barren lands on the fertile nor do it otherwise. Tax an infertile land only as much as it can bear."<sup>45</sup> He had decreed that the tools and implements of the protected people could not be sold out (for taxes).<sup>46</sup> He is also reported to have followed the practice of administering oath to a delegation of the local population attesting that the collections were made fairly. Once two of such witnesses refused to take oath before him which led 'Umar II to suspect it to be an

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40. Yah., 234.

41. Tab., 2, 458.

42. Agh., 21, 27.

43. Maw., 338.

44. Sad., 5, 260.

45. A.U., 120.

46. A.U., 258.



unfair collection and so dismiss the officer concerned.<sup>47</sup> It would not be without interest here to make a mention of the behaviour of some 'notorious' officers in Egypt. While the Muslim historians have treated Qurra b. Sharik as a tyrant-officer, the editor of the Aphrodito Papyri is inclined to acquit him of the charges of injustice, oppression and high-handedness.<sup>48</sup> At the end reference may also be made of the policy speech of Yazid III which sheds ample light on the policy of taxation which he promised to follow perhaps by reforming the malpractices of his predecessors.<sup>49</sup>

The above discussion is sufficient to give an idea as to the principles of taxation of the non-Muslims which most of the rulers generally made a point of following. Justice and generosity are urged. How far these principles were practically adopted remains to be seen.

Before giving a historical account of taxation some basic facts may be laid down. In the Prophet's time, as already discussed above, land-tax was paid by the Muslims as well as by the non-Muslims on their produce. Poll-tax was an additional levy on non-Muslims alone. The later conquests of territories outside Arabia raised for the first time the problem of taxing the lands occupied exclusively by the non-Muslim subjects, who were not necessarily prospective Muslims. The taxation background

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47. Akhbār Majmu'a fī Fath Andalus, pp. 22-23 cf. Shalabi, 277-78.

48. Pap. IV, General Introduction, XXXV.

49. For full reproduction of the speech see page Chapter 5

of these lands was entirely different from those in Arabia. They were more fertile; their yield was high, their taxes were many and varied and the rates of taxes were also higher than the five per cent or the ten per cent rates of Zakāt. Moreover, the proceeds raised by way of Zakāt were to be spent on some specific purposes. Running a big expanding administration, and waging an unceasing war required general sources of revenue to finance the various requirements. These facts led 'Umar and his successors to organize the administration of taxes. Thus land-tax as different from Zakāt, was extensively levied. Officials of the old pre-Islamic machinery were retained and entrusted with the task of collecting taxes from their respective communities so that the Muslims were not involved in an unpopular and corruptible task and were spared for warfare. Another important limitation of the Muslims was their lack of experience in maintaining account books. In any case, the policy making authority rested with the Muslim officers and along with it the overall supervision of the administration too. The day to day routine work was generally looked after by the local staff who worked in Persian, Greek and Coptic. But when they posed a challenge to the Arab capability to run this office, it took the latter no time in switching over to Arabic and handing over tax administration to the Arabs or arabicised non-Arabs. If the non-Muslim officers in the lower ranks of local assessment and collection were still retained, it was perhaps a matter of convenience without any bias to the concept of doing justice to the protected people. With these introductory observations the history of taxation in different regions can be studied.



## ARABIA

About 9 A.H., the Prophet wielded his authority over almost the whole of Arabia. There were a large number of people who had not embraced Islam during the Prophet's life. They included the Jews, Christians, Magians and pagans (mushrik). Details about the levy of poll-tax on the pagans are not recorded and, as discussed above, they were supposed to be prospective Muslims or were otherwise to be purged out. The following table (p.219) will help in the study of the position of the Jizya-paying communities during the Prophet's time.

In Arabia at least the government appointed its own assessors and collectors who were also responsible for collecting Zakāt from the Muslims. They often belonged to the tribe where they were deputed. These arrangements continued during Abū-Bakr's reign, the only exception being a brief period of jeopardy due to apostasy.<sup>1</sup> 'Umar shifted the Jews and Christians of Khaybar, Fadak, and Najrān to the newly-conquered territories in Syria and Iraq. The Magians were not disturbed and they took their time in merging themselves in the Muslim Ummā. Thus the income from poll-tax should have gradually declined to nothing. 'Umar was too sensitive to allow any non-Muslims into Medina.<sup>2</sup> Yet there was quite a substantial number of Jews and Christians outside. Many of the Jews had settled in Tā'if and paid poll-tax.<sup>3</sup>

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1. See Chapter 7.

2. Sad., III, 1, 250 reports of 'Umar's refusal to permit even non-Muslim slaves.

3. Bal., 67-8.

Table No.4

## Jizya paying communities during the Prophet's time

Community of non-Muslims at	Rate or quantity	Total in dirhams
1. Najrān <sup>4</sup>	2,000 dresses, valuing 1 ūqiya <sup>3</sup> (40 dirhams) each, payable in two equal instalments + loans of coats of mail, horses, camels, & arms 30 each + 30 days provisioning of Muslims	80,000
2. Bahrayn <sup>5</sup>	Not given, but the total annual receipt including Zakāt:-	80,000
3. Ayla <sup>6</sup>	1 dinar per head	3,000
4. Adhruh <sup>7</sup>	1 dinar per head	1,000
5. Yemen <sup>8</sup>	1 dinar per head or mantles or dresses	-
6. Himyar <sup>9</sup>	1 dinar per head	-
7. Jarba <sup>10</sup>	1 dinar per head	1,000
8. Mecca <sup>11</sup>	1 dinar on the only Christian	10
9. Maqna <sup>12</sup>	Commodities, horses and coats of mail	-
10. Magians of <sup>13</sup> Hajar & 'Uman	Rate not given	-
11. Dūma al-Jandal <sup>14</sup>	Rate not given	-
12. Tayma <sup>15</sup>	Rate not given	-
13. Tabāla & <sup>16</sup> Jurash	1 dinar per head and provisioning of Muslims	-
Total of Recorded figures only -----		165,010

4. Abu Daud, 3, 227; Bal., 75,79; A.U., 67.

5. Bal., 89,91,92.

6. Tab., 1, 1702; Bal., 71.

7. Sira, 2, 338; Bal., 71.

8. Abu Daud, 3, 227; Nasai, 5, 26; Bal., 82-83; Yah., 228-29; A.U., 64.

9. Tab., 1, 1718-20; Sira, 380-81.

10. Waq., 1032 (Sira, 2, 338 amount not given). Waq has mentioned of the Prophet's writing of treaty to both the people of Jarba' and Adhruh but in the text of the letter Adhruh alone is mentioned. Tabarī (1, 1701) says that the Prophet wrote a letter to all of them, the people of Adhruh and Jarba' (wa katab Rasul-Allāh Sal'm li kullin kitāban).

11. Yah., 230.

12. Bal., 71.

13. Abu Daud, 3, 229; Tir., 7, 84-86; Tab., 1, 1600-1.

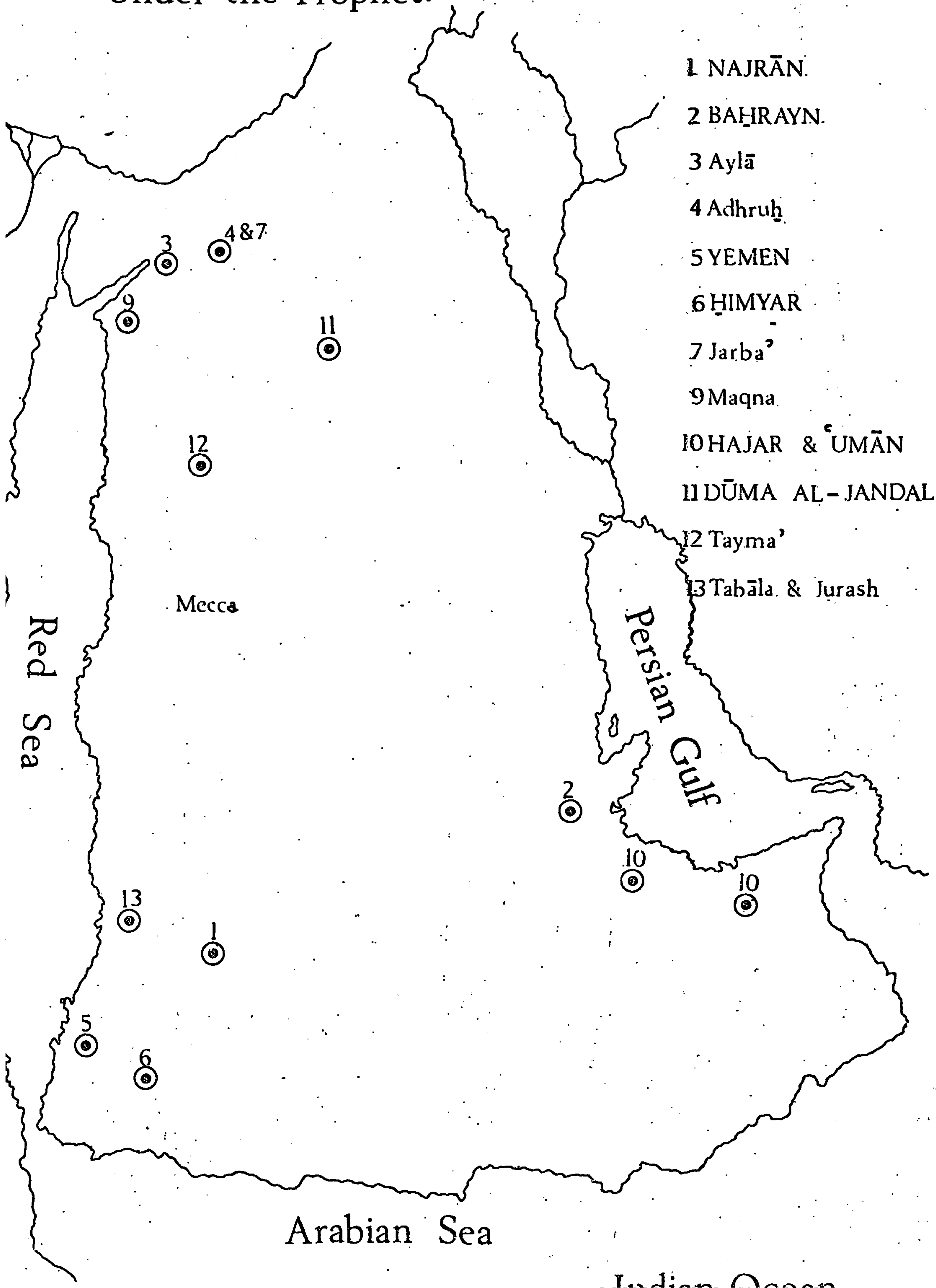
14. Waq., 1027; Sira, 2, 339; Sad, II, 65; Abu Daud, 3, 226.

15. Waq., 711; Bal., 47.

16. Bal., 70.



# Map Showing the Jizya-paying Communities Under the Prophet.



In the later period Muḥammad b. Yūsuf, the governor of Yemen, levied a fresh land-tax over and above 'Ushr which was later on withdrawn by 'Umar II but reimposed by his successor.<sup>17</sup>

While incomplete figures of the collections in the Prophet's time are available, figures for the following period are all the more scarce. What can be conceived is that incomes by way of tax like those of Zakāt must have gradually increased. Bahrayn paid 80,000 dirhams in the Prophet's time while the amount rose to 500,000 dirhams in 'Umar's time.<sup>18</sup> Ya'qūbī reports that 'Kharāj' from Bahrayn and Yamāma during Mu'āwiya's reign rose to 10 million dirhams.<sup>19</sup> The figures are too paradoxical to be believable. Had the rate of increase in revenues been so high, the government at Medina would not be waiting for funds from outside Arabia to meet its normal requirements. "Send to the people of Medina their pensions because they too are the sharers in your collections," thus wrote 'Umar to his collector in Sawād and every year got some twenty to thirty million dirhams<sup>20</sup> which were distributed as pensions. 'Amr was required to send half of the collections of Egypt to Medina.<sup>21</sup> These incomes were over and above the incomes received by way of the fifths of booty. When the dreadful famine of the year A.H.21 threatened the lives of a large segment of the population of central Arabia; Iraq, Syria, and Egypt rushed to the rescue of the centre and a great

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17. Bal., 84.

18. Cf. Chapter 7. fn 104

19. Yaq., 2, 221.

20. Yaq., 2, 142.

21. I.A.H.(M), 158-59.



catastrophe was averted.<sup>22</sup> But for these resources, the people of Medina and its surroundings would have starved to death.

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22. Sad., III, 1, 224; I.A.H.(M), 162-63.

### THE CONQUERED LANDS

The Muslim conquests outside Arabia brought with them many new problems. The Prophet's example of levying poll-tax on the Magians was extended to any other community of the non-Scriptuaries. 'Umar followed suit in Persia while 'Uthmān did it in the case of Berbers in Ifrīqiyya. It was decided by 'Umar that only those men would be subjected to poll-tax who shaved; viz., attained the age of puberty. Even among these mature men the too old and the crippled were exempt and this was in addition to women and children.<sup>1</sup> Similarly the monks in their monasteries also remained exempt. There was no question of the levy of poll-tax on Muslims, old or newly converted. Yet, Hajjāj did not withdraw this levy on the converts in Iraq. The number of Jizya-paying Muslims in Khurāsān during the governorship of Naṣr b. Sayyār had reached 30,000.<sup>2</sup> Abū-Muslim, Governor of Ifrīqiyya also tried to follow Hajjāj's policy of retaining poll-tax on converts, but was killed by an angry mob.<sup>3</sup>

It has already been suggested that land-tax was payable over and above poll-tax. But in case a man did not possess land, he was not spared from paying a meagre amount of poll-tax. He was required to pay trade-tax on his business or profession. On the slave-craftsman who was sent by Mughīra to 'Umar was levied a tax with the same name

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1. Yah., 231; I.A.H.(M), 70, 152.

2. Jurjī Zaydān, History of Islamic Civilization, Part IV, tr. D.S. Margoliouth, London, 1907, p.98. (For full discussion see discussion on Khurāsān); also Tab, 2,1689.

3. Tab., 2, 1635; Jahs., 57.



of Jizya, at a rate of two dirhams daily or according to Ibn Sa'd a hundred dirhams per month.<sup>4</sup> 'Umar and 'Alī levied this tax on the earnings of all the craftsmen<sup>5</sup> and it seems that it was never withdrawn. The amount of poll-tax, if levied on any community without a treaty, could be enhanced or reduced by the government, but in the case of a treaty, the amount once agreed upon could not be enhanced. 'Uthmān reduced the poll-tax on Najrānites (now settled in Iraq) by 200 suits.<sup>6</sup> Mu'āwīya made a further reduction by 200 suits.<sup>7</sup> But Hajjāj withdrew Mu'āwīya's concession and reimposed the levy of 1800 suits.<sup>8</sup> 'Umar II made a drastic cut by 1600 to 200 suits valuing as usual 40 dirhams each or 8,000 dirhams in toto.<sup>9</sup> This rebate was again withdrawn by governor Yūsuf b. 'Umar and the situation continued to be the same until the 'Abbāsīd Caliph Abu'l-'Abbās refixed it at 'Umar II's amount.<sup>10</sup> There are certain cases to suggest that poll-tax was altogether condoned in the larger interest of the state. Such cases will be discussed in due course.

Unlike the per-head levy of poll-tax the matter of land-tax involved a number of issues. The question was as to who should be treated as the owner of the conquered lands, the state, the conquerers, the Muslim community or the former owners who were now subjugated? In case the state was declared as its owner, who would possess, occupy or use it?

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4. Sad., III, 1, 250. Mas., 3, 64.

5. Yaq., 2, 142.

6. A.U., 504.

7. Bal., 78.

8. Ibid.

9. Ibid.

10. Ibid.

What should be the nature of the right of the state or the conquering soldiers if it was to be retained and used by the former owners? What should be the considerations of the transfer of ownership? How should the government organize the machinery to guarantee the different rights over these lands? All these questions were decided by the Caliphs in consultation, or sometimes even without consultation, with the senior Companions of the Prophet. The first Muslim conquest outside Arabia was Iraq and it was in this context that the Companions were divided on determining the policy about land - whether it should be treated as booty and distributed among the conquerors or as Fay' to be retained as a common property of the Muslims. 'Umar voted for the second alternative and got it through. As regards the lands which were surrendered under an agreement the terms of agreement were followed. Thus most of the conquered provinces had two broad categories of lands: the one conquered by force ('anwatan) and the other governed by the terms of agreement (sulhi). The ultimate ownership in both cases was vested in the state. The lands were left with whomsoever they were before the conquest. They were required to pay not only a tax on their heads (Jizya) but also tax on their land. If any of them embraced Islam, poll-tax was withdrawn but not land-tax.<sup>11</sup> Where unoccupied land was reclaimed by a Muslim, it was treated to be 'Ushr land and not Kharāj land. The lands which were treated as

11. Bal., 268; Yah., 24; A.U., 231.



Fay' were the common property of the Muslim community and inalienable.<sup>12</sup> A Kharāj land which was bought by a Muslim was subjected to land-tax and not 'Ushr. As regards the other questions about land they were differently decided at different places, depending on the circumstances of the conquest and the preceding system. In the following lines an account will be given of those regions which the Muslims had conquered and where revenue administration had already taken a definite shape during the first century. Spain (Andalus), which was overrun by the Muslims just at the end of the century, and where administration took a definite shape by the end of the period, has not, therefore, been included.

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12. A.U., 256.

IRAQ  
(as-Sawād)

The conquest of Iraq was inaugurated by Khālīd's treaties with the representatives of Ullays, Bāniqqiyā', Bārūsmā, and Hīra. Ṭabarī has given two different amounts of money agreed on with the people of Bāniqqiyā' and Bārūsmā (in the second treaty the name of the place is given as Basmā, not Bārūsmā): 1,000 dirhams and 10,000 dinars.<sup>13</sup> About the treaty of Hīra, the following amounts of treaty are given in different sources.<sup>14</sup>

Yahyā b. Ādam	1,000 dirhams
Abū-Yūsuf	60,000 dirhams
Balādhurī	80,000; 84,000; 100,000 dirhams
Khalīfa b. Khayyāṭ	90,000 dirhams
Ṭabarī	90,000; 190,000; 400,000 dirhams

Yahyā's reporting seems to be an utter confusion and may be set aside. The question now arises which of these many figures should be treated as a believable figure agreed on with the people of Hīra. Ṭabarī while giving the many amounts agreed on in the various treaties also mentions that the people of Hīra revolted two or three times and, after every suppression of the revolt the amount of treaty was enhanced. Balādhurī's report on the authority of Yahyā, and Abū-Yūsuf's report are comparable in respect of the heads on which poll-tax was computed, and as a result also in respect of the total amount which was probably initially

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13. Tab., 1, 2017, 2049.

14. Yah., 143; Kh., 85; Bal., 244-45; Khal., 101; Tab., 1, 2016, 2017, 1029, 2042, 2045.



levied. Abū-'Ubayd reports that the people of Hīra came of the tribes of Tamīm, Ṭayy, Ghassān and Tanūkh<sup>15</sup> - branches of four tribes. Thus Abū-Yūsuf's report that Hīra had 7,000 men of whom 1,000 were very old and invalid and were exempted, the remaining were taxed for a total of 60,000 dirhams,<sup>16</sup> seems to be more plausible. Balādhurī reports the same thing with a relative difference in the value of dirhams: eighty four thousand dirhams weighing five carats<sup>17</sup> which is equivalent to Abū-Yūsuf's 60,000 dirhams weighing seven carats each. In this way Balādhurī's and Abū-Yūsuf's statement, if interpreted with Ṭabarī's report about three revolts, will give the following figures.

Amount originally agreed	dirhams 60,000
Amount revised after suppression of the first revolt	90,000
Amount revised after suppression of the second revolt	190,000
Amount revised after suppression of the last revolt	400,000

But this gives rise to one difficulty. According to Ṭabarī, the amount of 190,000 dirhams was fixed by Khālīd which means that it happened after the suppression of the second revolt. The amount of 400,000 dirhams was fixed by Sa'd when he suppressed the last revolt. But Ṭabarī himself mentions one more revolt which was suppressed by Muthannā and after which also the amount of tax was enhanced.<sup>18</sup> Muthannā commanded these areas after Khālīd

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15. A.U., 68.

16. Kh., 84-85.

17. Bal., 245.

18. Tab., 1, 2045.

and before Sa'd. It means that Ṭabarī has missed quoting the amount fixed by Muthannā and also forgotten to include it in his account. Thus a more probable position seems to be that the amount of treaty initially agreed upon was 60,000 dirhams which gradually rose to 400,000 after the fourth and last revolt was suppressed.

As regards the treaties with the people of Bāniqqiyā' and Bārūsmā there seems to be confusion of a different nature. Khālīd's debut in Iraq begins with this treaty involving 1,000 dirhams. But after the suppression of the second revolt, he is stated to have entered into, with the people of Bāniqqiyā' and Basmā, not Bārūsmā, and the surrounding areas along the river Euphrates, a treaty involving 10,000 dinars, at a rate of four dirhams each.<sup>19</sup> These reports involve three confusions. Firstly, if it is supposed that Bāniqqiyā' and Bārūsmā were the first to come to terms, the agreed amount of 1,000 dirhams is suggestive of its insignificant area and population. But the geographers mention that Bārūsmā was a suburb (ṭassūj) in central Bihquhād<sup>20</sup> and this, along with Nahr-al-Malik, jointly fetched 122,000 dirhams of tax in addition to quantities of wheat and barley in the year A.H. 204.<sup>21</sup> The name of Basmā is nowhere to be found, at least in the books of Muslim geographers. Moreover, Bārūsmā which, at the time of the first treaty was a partner of Bāniqqiyā' has been replaced by Basmā without reappearing at any further

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19. Tab., 1, 2049-50.

20. I.K., 8; Qud., 236.

21. Qud., 237.



stage of treaties. It is probable that the name of the village was actually Bārūsmā which was later on exposed to fabrication in reading or writing. Thirdly the assumption is also supported by the fact that Khālīd is reported to have expressly exempted Bāniqqiyā' and Basmā because a separate treaty had already been made with them. It meant that this Basmā also was situated within Bihqubādh and had already settled terms with Khālīd. If Bārūsmā was a different place from Basmā it should also have been excluded because a treaty with its people and of Bāniqqiyā' had been signed which is not reported to have been violated.

It transpires from the above discussion that Basmā was not a different village from Bārūsmā, a suburb of Bihqubādh whose people, like the people of Bāniqqiyā', wished to get the treaty renewed and extended to a wider area, now covering the belts along the Euphrates. And in this agreement too the well known Salūbā family has been an active intermediary as in the earliest treaty with Bāniqqiyā' and Bārūsmā.<sup>22</sup> The amount was now enhanced to 10,000 dinars reportedly at a rate of four dirhams per head.<sup>23</sup> If this rate is treated as correct the number of tax-paying community will come out to be 25,000 heads or a total population of 75,000 persons - quite a big town for that age. Moreover, this seems to be a fairly unusual rate in the whole chain of treaties. The usual rate so far had been one dinar per head or even more. Another doubtful thing is the unit

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22. Tab., 1, 2050.

23. Supra.

of currency reported by historians. Iraq was a dirham area and most of the transactions involving money are reported in terms of dirham and not dinar. The examples in the immediate context of the discussion are the four other treaties in Iraq. Thus both the figures; the total amount of levy as also the per head rate, seem to be doubtful. It is difficult to suggest any solution to it because many assumptions are admissible. If both the figures are revised according to the above criticism, the amounts will have to be read as 10,000 dirhams, at a rate of one dinar. But while there is the possibility of misunderstanding between dirham and dinar - inadvertently reporting dinar for dirham - there can hardly be a possibility of misreporting four dirhams for one dinar. Another assumption may be that while the total amount of 10,000 might be correct the per head rate is wrongly reported as four dirhams rather than four dinars - a punitive increase in the usual rate of one dinar per head. A third assumption may be that the rate of four dirhams per head is correctly reported and indicates the per head average levy on the total population and not on the taxable population only. This will seem to be a more appealing interpretation and the rate per head of taxable population will in this way come around one dinar. Anyhow none of the interpretations can be supported by any evidence and they stand as nothing but assumptions.<sup>24</sup>

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24. There still remains one minor point of dating. Tabarī mentions that this treaty was signed by Khālīd after he suppressed the second revolt of Ḥīra. The treaty of Ḥīra involving 190,000 dirhams gives the month of Rabi' I of A.H.12. But the treaty with Banīqqiya' and Bārūsma ends with Ṣafar, A.H.12 (Tab., 1, 2050). It means that this treaty was signed before Khālīd set about suppressing the second revolt of Ḥīra (1,2045).



The last of the treaties in Iraq was made with the people of Bihqubādh (central and lower). Here again Tabarī has given two different figures: the one involving 2 million dirhams on the authority of Mughīra, and the other involving one million dirhams on the authority of 'Ubayd-Allāh. The following points lead us to choose the lower figure:

1. The treaty made with the people of Bihqubādh was the first treaty with them and the amounts generally fixed under the treaties were easy to pay.

2. During Hajjāj's governorship over Iraq, and even after him, agriculture in Iraq had some set-backs. Many lands were deserted; production and taxing capacity were reduced.

3. There was a gradual decline in land revenue during the later Umayyad period, and the decline continued until the 'Abbāsīd period. The total revenues raised by the 'Abbāsīds in A.H.204 from Bihqubādh (Upper, Central and Lower) amounted to 2,054,800 dirhams in addition to a quantity of grain.<sup>25</sup> But this amount also includes the collections from Upper Bihqubādh while Khālīd's agreement covered only the Central and Lower which, during the 'Abbāsīd Caliphate paid about 1.25 million dirhams.<sup>26</sup> If this could be a full-capacity levy during 'Abbāsīd period, it should have been a mild levy during Khālīd's period. This is also no doubt guess-work, but keeping in view the above-mentioned premises,

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25. Qud., 237-38.

26. Ibid. (Calculated amount)

one is inclined to choose 'Ubayd-Allāh's report which is on the lower side and also demonstrates the early norm.

Along with the amounts involved in the treaties, there were certain other conditions too that were made binding on the subject communities:

1. The representatives of these communities were made responsible for collecting the amount of levy and paying it to the Muslim officials.<sup>27</sup> The government offered its assistance in the job by means of Muslim staff on condition that the charges incurred on this staff would be borne by the Bayt-al-Māl.<sup>28</sup> This implied that the charges that were to be incurred by the subject collectors or agents were not treated as the liability of the Bayt-al-Māl.

2. Lands were left in the possession of the former owners ; - except for the lands and valuables owned by the emperor of Persia<sup>29</sup> and his family.

3. It was provided that the amount of poll-tax will be receivable only when the Muslims protected these people.<sup>30</sup>

4. In some cases, the subject-collectors were explicitly required to distribute the burden of this tax equitably among all the male population according to their incomes.<sup>31</sup> It means that even assessment was sometimes left with the non-Muslim representatives.

5. The tax in the case of treaty lands is not poll-tax, (Jizya), because it seems to have been levied in a lump sum without any consideration to the future fluctuations in

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27. Kh., 85; Tab., 1, 2050-51. 28. Kh., 85.

29. Tab., 1, 2028, 2031, 2050-51. 30. Ibid.

31. Ibid.



population due to births, deaths or conversions. While the number of heads might have been taken into account at the time of fixing the first amount, this consideration was set aside in the case of revised treaties after the suppression of the revolt. Thus the amount of 60,000 dirhams might represent a calculated levy on the taxable people of Hira, the latter amounts of 190,000 dirhams or 400,000 dirhams did not represent any such consideration. It was a punitive tax on the whole of the community.

These treaties were made perhaps within two months of Khālīd's entry into Iraq and fetched them a total of 1.41 million dirhams over and above some valuables. The people of Bihquhādh are stated to have paid their 1 million within 50 days.<sup>32</sup> The remaining part of Iraq was occupied by force of arms although these treaties too took their final shape after the Muslims had fought it out in six pitched battles within an area of about forty square miles. in this short period.<sup>33</sup> The remaining part of Iraq was conquered within the next four years after the most decisive battles of Madā'in, Qādisiyya and Jalūlā'.

The first question that was to be decided by 'Umar was the government's policy towards the ownership of land. While a number of the Companions were pressing for the distribution of conquered land among the fighters, 'Umar, supported by an almost equal number of the Companions, voted against it and decided to treat it as Fay'.<sup>34</sup> Thus the

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32. Tab., 1, 2054.

33. Tab., 1, 2042ff.

34. Kh., 13-15. full story.

following rules are known to have been observed by 'Umar and followed by his successors.

1. The part of Iraq, which was conquered by force, belonged to the Muslims and was declared as inalienable,<sup>35</sup> while the part which fell under peace treaties, belonged to the former owners and its ownership could be transferred.<sup>36</sup>

2. Kharāj (land-tax) was to be levied on all those lands which were conquered by force even if the owner later on embraced Islam.<sup>37</sup> He will, however, be exempt from Jizya.<sup>38</sup>

3. The former owners of the lands conquered by force were offered to occupy their land provided they were agreeable to pay poll-tax and land-tax.<sup>39</sup> Later on, the jurists sanctified it as a self-imposed commitment or a contract.<sup>40</sup>

4. The unoccupied lands, which were reclaimed and cultivated by Muslims, were treated as 'Ushr lands. Thus the lands of Baṣra, for example, were to pay 'Ushr but not land-tax.<sup>41</sup>

5. Collection of taxes in the case of non-treaty lands also was made the responsibility of the landlord.<sup>42</sup>

6. Land-tax was levied per jarīb of cultivable land whether or not it was cultivated, but not on the individuals.<sup>43</sup> In the case of cultivated land, rates were fixed according to the nature of the produce.<sup>44</sup>

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35. Yah., 148-163.

36. Yah., 144.

37. Bal., 268.

38. A.U., 231 sqq.

39. Tab., 1, 2028, 2031, 2370.

40. Kh., 16; Yah., 126-28; Bal., 266.

41. 1st., 82.

42. A.U., 134.

43. Infra.

44. Infra.



In order to manage the affairs of the land, 'Umar, first of all, tipped experienced persons to survey them<sup>45</sup> and conduct a census of the population<sup>46</sup> which was also to be subjected to poll-tax. It is not known how large a team of assistants they took with them because a survey of the whole province could not be undertaken by a man or two in a reasonable time. There are also reports of dodges given by local persons to one of the surveyors, Hudhayfa<sup>47</sup> but the nature of these dodges is also not recorded. Residential areas and houses were excluded from survey.<sup>48</sup> Similarly the undergrowth, area covered under water, or the area inaccessible to water, and steeps (ṭalā') were also excluded.<sup>49</sup> Thus the total area of surveyed land reportedly came out to be 36 million jarīb<sup>50</sup> or 125 farsakh in length and 80 farsakh in breadth or 10,000 square farsakh.<sup>51</sup> In order that people do not evade poll-tax by pretending to have been counted, strict measures were taken to fix a seal on their necks after they were included in counting. A man having no seal was declared to be unprotected.<sup>52</sup> Thus about 550,000 persons were sealed.<sup>53</sup>

After these basic data were made available, 'Umar had to decide about the question of fixing land-tax. Before

45. Kh., 20.

46. Kh., 21. The names of the two officers are given as 'Uthman b. Hunayf and Hadhayfa b. al-Yaman.

47. Kh., 22.

48. A.U., 182.

49. Yaq., 2, 142.

50. Kh., 20.

51. I.K., 14. Farsakh = 3,600 sq. yds.

52. A.U., 134.

53. Kh., 73; I.K., 14.

Noshirwān, the government took away from the landlords something between  $1/6$  and  $\frac{1}{3}$  of the yield.<sup>54</sup> Noshirwān levied a payment in money and in kind, each measure of ground being taxed at a dirham and one fixed measure of the produce. These payments which applied only to sown land were never increased, and in consequence the cultivator was free to work for his own benefit, sure of reaping what he sowed. It is stated that an annual survey was made of all lands under cultivation. This is difficult to believe because of the enormous staff the work would have required; but it is certain that there was a remarkable advance in efficiency.<sup>55</sup> In addition to land-tax there was an assessment on fruit trees, a tax on property and a poll-tax. Payment of the taxes was made in three instalments, at intervals of four months, and to prevent oppression, the Magians were allowed to act as inspectors.<sup>56</sup> According to Balādhurī the amount of poll-tax which Noshirwān levied was 12 dirhams for the well-to-do, 8 for the average, and 4 for the poor.<sup>57</sup> Whether 'Umar knew all these details, cannot be doubted, particularly when his most favourite poet Zuhayr had made a mention of the general practice of the levy of qafiz and dirhams (per jarīb) in

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54. Jahs., 4.

55. Sykes, 1, 462.

56. Ibid.

57. Bal., 93. (Almost the same points with varying details are to be found in Tab., 1, 961-62; Christensen (Arthur): *L'Iran sous les Sassanides*, Paris, 1936, pp. 54-56, 98-105, 118, 361-62; Noeldeke (T): *Geschichte der Perser und Araber zur Zeit der Sasaniden*, Leiden, 1879, pp. 243-45, 246. Cf. Denn, 14-16).



Iraq.<sup>58</sup> Abū-Yūsuf in one of his reports<sup>59</sup> suggests that 'Umar levied the same rates whether or not land was cultivated. According to another report by the same source 'Umar sent for a delegation of the Iraqi landlord first to have direct information about the pre-Islamic taxes. The landlords informed him that they had to pay to the Persians 27 dirhams but 'Umar did not like this rate and fixed for each jarīb of land where water was available a qafīz of wheat or barley and a dirham.<sup>60</sup> According to Ṭabarī, 'Umar levied the same rates in Sawād as were levied by Kīsrā (Persian Emperor).<sup>61</sup>

It will be seen that all the reports are almost identical except for the addition of Abū-Yūsuf's story about the pre-Islamic levy of 27 dirhams. The story does not explain the nature of the monetary payment exclusive of any commodity payment. Whether it was the monetary value of the total taxes in money and kind, on the lands of these landlords, or an average per person or average per unit of land, is not clear. It is, however, clear that 'Umar did not like the idea and fixed it at per unit of land in terms of money as well as produce. This was over and above the poll-tax which was levied on them. But it seems that after the situation normalized he changed the general rule of levying a fixed amount on all lands and changed it to varying amounts depending on the quality and value of the yield. The early

58. قَرَىٰ بِالْعَرَابِ مِنْ قَفْزِ دَرِّمْ فَتَغَالَىٰ لَكُمْ مَالٌ تَغْلَىٰ لَهَا

Cheikho, 519; Also Sab'a Mu'allāqa, Zuhayr, No. 33.

59. Kh., 48.

60. Kh., 21.

61. Tab., 1, 2371.

sources have reported different amounts for the different crops which may be arranged in Tabular form. (see Table No.5, p.239).

It will be seen in the following table that while the inferior quality dates were exempt, the rates on superior quality fresh dates were the highest. Barley was treated to be the cheapest crop with 2 dirhams per jarīb of levy. The list seems to have covered almost all the crops that might be growing in Iraq. The rate of poll-tax was fixed at 48 dirhams for the well-to-do, 24 dirhams for the middle, and 12 dirhams for the poor class per annum.<sup>62</sup> It has already been mentioned that this per-head poll-tax was over and above the land-tax which was levied on per jarīb of land and the amount of taxes collected from Sawād either included both or was only land-tax exclusive of poll-tax. The point is easily understandable due to the fact that the number of heads on which poll-tax was imposed and the total collections are recorded by most of the historians without any formidable difference.

The total taxable population in Sawād has been recorded to be some five to six hundred thousand.<sup>63</sup> In order to conjecture the probable total amount of poll-tax we shall have to assume different ratios of class strata. Suppose that the number of the well-to-do persons was 5,000; of the middle class 50,000 and the poor 550,000. The total amount of poll-tax with this hypothesis will come

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62. Kh., 20-21.

63. For detailed discussion see Chapter on 'Economic Indicators'.



Table No.5.

'Umar's Monetary Levies on Different Crops

Source		Kh., 20-22													Yaq.	Yaqut	I.K.
		Bal., 270													2,142	cf.Yaq.	12
Crop	Serial No.	1	2	3	4	5	6	7	8	9	10	11	12	13			
Grain	1+1 <sup>64</sup>					1+1	1+1	1+1									
Grape	10	10	10	8	10			10	10	8	4	5	5	6			
Date	5	8	10	5							10			8			
Wheat		4			1+1									4			
Barley		2			1+1						2			2			
Oilseed								5		8							
Vegetables								3									
Cotton								5	5								
Gourds												10	10	6			
Inferior dates							Nil	Nil	1								
Lentils					1+1					8							
Bamboo			6														

6. 1+1 signifies one dirham plus one measure (gafiz). All other figures indicate levies in terms of dirhams.

6. In many countries Bamboo is a forest produce. But its inclusion in the list as farm or garden produce suggests that in case the report is correct, bamboo was also grown and cultivated.

to 8,040,000 dirhams per annum. This it will be observed seems to be quite a modest estimate of class-division. In order to remove all possibilities of any objection to this estimate, let us also calculate the annual collections on the basis of a paradoxical maximum allowance to the assumed number of the higher strata of population. Therefore, suppose that the class ratio would be 1:2:3 - although improbable. Thus the number of the well-to-do who would be taxed at 48 dirhams would be 100,000; of the middle class 200,000; and of the poor 300,000 or say, fifty per cent of the total. In this way the total collections by way of poll-tax would amount to not more than 13,200,000 dirhams. Thus while the amount of 800,000 dirhams could be a modest estimate, the amount of 13.2 million would be the paradoxical maximum in a medieval agricultural society of Persian territory. A reasonable figure must be much less than that.

The question whether the amount of poll-tax is included in the total figures quoted by the historians is not certain except on the evidence of Yahyā's statement that when two men from Ullays embraced Islam 'Umar reduced the amount of poll-tax from the total land-tax<sup>66</sup> which indicates the collections were inclusive of both the taxes. The following table presents the amount of collections from Iraq throughout the period under study:-

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66. Yah., 21.



Table No.6.  
Amount of Collections from Iraq

	In million dirhams
‘Umar	100 <sup>67</sup>
‘Uthmān	100 <sup>68</sup>
‘Alī (Governorship of Ziyād)	100 <sup>69</sup>
Mu‘āwiya (Governorship of ‘Ubayd Allāh)	120 <sup>70</sup>
‘Abd-al-Malik (Governorship of Hajjāj)	40 <sup>71</sup>
‘Umar II	80 <sup>72</sup>
Hishām (Governorship of Yūsuf b. ‘Umar)	100 <sup>73</sup>
(Governorship of Khālīd al-Qisrī)	100 <sup>74</sup>
(for comparison)	
Harūn al-Rashīd	100 <sup>75</sup>

67. Bal., 270. According to Kath., 9, 137, ‘Umar II is reported to have said that the collections from Iraq during ‘Umar's time were 11 million.

68. al-Su‘lī, p.219; cf. S.A.E., 135.

69. Ibid.

70. Yaq., 2, 221. Balādhurī Ansāb al-Ashrāf (Mss) cf. S.A.E., 135. Mu‘āwiya is also reported to have added sawāfī lands which, according to Yaq., 2, 207 fetched 50 million dirhams over and above land-tax and which later on rose to 100 million dirhams, p.2, 221-22.

71. Bal., 270.

72. Kath., 9, 136-37.

73. Hamadani, K. al-Buldan. f86A (Mss) cf. S.A.E. 135.

74. Jahs., 63.

75. Ibid.

The above table gives almost a uniform figure for about 150 years, but for a short period intervening Hajjāj's governorship and a period of recovery during 'Umar II's Caliphate, which could be a period of almost 25 years. The increase during the governorship of 'Ubayd Allāh presumably was the result of his withdrawing Arab officials and replacing them by natives<sup>76</sup> although these natives had already been working at lower levels since the very beginning.<sup>77</sup> On the contrary, 'Abd-al-Malik's period witnessed a sharp decline in revenues from the record 120 million dirhams to 40 million dirhams. The cause of this decline is not far to seek. This should not actually be treated as the figure for the whole of Iraq, nor for the entire period of 20 years of 'Abd-al-Malik's reign. It should be a period when a number of claimants of Caliphate were actively operating in the Hijāz and Iraq and they practically controlled these regions. Over and above these claimants (Ibn Zubayr and Mukhtār) who were taking away a chunk of the taxes of Iraq, the Khārijites (Shabīb and his followers) also exacted taxes wherever they operated.<sup>78</sup> The situation could be restored to normalcy only after suppressing all these elements, but in the year A.H.82-83 the mutineers, who also robbed of taxes,<sup>79</sup> set fire to all the revenue records which would have encouraged evasion of taxes and other malpractices, and taken a long time to improve the situation. By the time of 'Umar II the

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76. Tab., 2, 457-58.

77. Supra. Also Tab., 2, 941.

78. Tab., 2, 907-08.

79. Agh., 6, 46.



situation improved only partly and the total revenue which had touched the figure of 120 million during Mu'āwīya's reign, added up to 80 million. After 'Umar II, however, the figure again touched the pre-Mu'āwīya figure of 100 million and remained so throughout the period.

An important development that took place during this period was Hajjāj's policy of the non-withdrawal of poll-tax on the converts. The reports of Hajjāj's rudeness and cold-bloodedness might be having some truth but his policy of levying poll-tax on the converts, if examined in proper perspective, does not strengthen the allegations against him. The question that requires examination in this respect is whether the amount of poll-tax could really be so large as to affect the total government revenues of the province. It cannot be believed that if poll-tax was withdrawn - as it should have been - the entire population of non-Muslims was prepared to embrace Islam forthwith. Supposing that a maximum number of fifty thousand taxable persons were willing to accept Islam during the period when the question of withdrawal of poll-tax arose, the total amount involved would not be more than 1 million dirhams out of a total collection of 40 million dirhams. Was this small amount a potential threat for sensible Hajjāj to misbehave in such an arrogant way? Conversion was no threat to the amount of land-tax because it was to be paid even after Islam. Contrary to it the monetary benefit in the case of their conversion could have accrued in the form of their contribution by way of Zakāt and this could have added more to the public treasury than the per-head

levy of poll-tax and thus more than offset the loss. It can be mentioned here that a similar situation took place in Khurasān thirty years later and a close examination of the two events suggests one common factor that was responsible for an unjustifiable reaction of the governors. This common factor was the emotional and religious attachments of the tax officers whose sympathies lay with the non-Muslims. They did not like these conversions but could also not fight out this 'menace' on a religious plane without offending the Muslims - the ruling community. The best and most intelligent way to discourage this tendency was to get the converts punished by the government and they partly succeeded in their manoeuvring. It is unfortunate that early historians have disposed of this particular aspect of the story in a summary way, yet these brief reports do not fail to give a clue to the tax officials' over-emphasising of the real situation and thus misleading the governors. In the case of Khurasān the officer concerned reported that the man whom the governor sent for preaching (and whose preaching proved effective) 'had created dissatisfaction and unrest among the people; and peace and order was threatened.'<sup>80</sup> This is the literal sense that the historians found fit to record. It can roughly be conceived in what way the officers would have urged their case. A simple metaphorical or emotional sentence could hardly prompt an intelligent and sensible governor to take

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80. For a thorough discussion on the subject see note on Khurasān, pp. 323-31.



drastic action prejudicing his own religious bias. These officers would have made out a theoretically strong case to get through their objective - with written reports, personal representations, fake stories of insolvency, and imaginary over-ambitiousness of the converts or their hypocrisy; as clearly happened in Khurāsān under Ashras.<sup>81</sup> As regards Ḥajjāj he was already in the doldrums. Suppression of unceasing revolts and mutinies required increased funds but the revenues of the province were, on the contrary, declining. When the revenue officers would have painted an extremely dismal picture of the future finances due to conversions and migrations from village to city, and by implication about the future of Ḥajjāj's governorship too, he would have become unnerved and in a fit of neurosis presumably acted upon the suggestions of tax-officers by re-imposing poll-tax on the converts and pushing them back to the villages. It was the very Ḥajjāj who at the time of levying taxes convened a large meeting in Wāsiṭ perhaps to distribute the burden of taxes equitably<sup>82</sup> as used to happen in Egypt.

By the time of 'Umar II the trend had already changed. Stability had set in long ago, yet he was unable to get the pre-Ḥajjāj amount of revenue. This may be attributed to his leniency and his care for eliminating the past injustices. A tax-payer has always the wherewithal to pay his money and any leniency of the tax-collector encourages him to evade his liabilities.

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81. For full story see note on Khurāsān in the same chapter.

82. Mok., 129.

Incomes from land-tax do not include other incomes from land. 'Umar's rigid policy was to disallow the possession of Fay'-land by Muslims in Iraq.<sup>83</sup> He applied this rule even in the case of those lands which were formerly owned by the Persian Royal family. As a result vast tracts of land were lying idle. 'Uthmān changed this policy and took the initiative to put these lands into use by allotting them to Muslims. While income from such state lands in 'Umar's time was five million dirhams, it shot up to a figure of fifty million under 'Uthmān.<sup>84</sup> Many of such lands were later on picked up by Umayyad rulers as their 'chosen' property (ṣaḥī).<sup>85</sup> The so-called anti-Umayyad historian Ya'qūbī reports that Mu'āwiya received fifty million dirhams and perhaps later on, 100 million dirhams<sup>86</sup> from his chosen properties. Whether or not the report is a hundred per cent correct, this much is certain, that the lands of Sawād which were directly under state ownership were widespread<sup>87</sup> and brought sufficient revenues to the state. The chaotic condition that prevailed during Ḥajjāj's governorship ended about A.H. 82-83, but the lack of land records, after they were set ablaze during the mutiny, was still a formidable hurdle in restoring state revenues to normalcy. Yazīd II, the successor of 'Umar II, advised his governor to again survey the lands and prepare fresh records.<sup>88</sup> This now formed the basis of future taxation and the situation improved.

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83. For this and the following discussion on land policies also refer to Chapter 4.

84. Supra.

85. See Chapter 4.

86. Yaq., 2, 207; Supra.

87. Supra.

88. Yaq., 3, 57.



SYRIA  
(ash-Shām)

The circumstances of the conquest of ash-Shām (Syria) were entirely different from those of Iraq. In the latter case the entire region had a centralized administration under the Persian rule and over-running of a certain part of the region did not finalize its conquest unless the Persian armies were driven out of the last boundaries of the region and any future threat of their offensive was crushed. At the initial stages the regions contiguous to Arab borders (Hīra and surrounding villages) saved themselves from the Arab onslaught by a fake commitment but as soon as they knew of a counter-offensive by the Persians, they turned back again and again and tried their best to get rid of the Arab yoke. After continuous defeats of Persian contingents in six pitched battles within an area of about forty square miles near Hīra the subjugated people lost all hope of restoration of the former position and reconciled themselves to the new rulers. Contrary to it, Syria was, administratively, not one unit when the Muslim armies invaded it. It was administered by separate local bodies, independent of each other. These units were based on fiscal considerations and the main features of these fiscal institutions dated from the reform of Constantine and of Diocletian. The latter emperor had caused a census to be made of lands and people, resulting in the rough division of the country into units, equal not in acreage, but in value of the crop produced. The unit

was called iugum; and each iugum paid the same fixed tax. The census took note of the numbers of iugera of each municipality with its dependent lands, villages, and estates; and once a year when the basic tax per iugum was announced, the municipal curiales were compelled to collect a sum equal to the basic rate multiplied by the number of iugera ascribed to the municipality. The keynote in the fiscal structure, then, was the municipality; and this fact explains why the Arabs, in taking Syria, made not one but many treaties.<sup>1</sup>

Thus when the Arabs began their operations in Syria, they found it easy to deal with these municipal bodies one by one. Each one of them, finding it difficult to defend itself, entered into a treaty with them. Thus while most of Iraq was conquered by force, Syria, including Jordan and Palestine, was subjugated by a number of treaties made with the municipal bodies of the respective cities. Cyprus also agreed to enter into a treaty with the Muslims who, administratively, merged it with Syria. Thus these treaties encompass more than thirty cities and their suburbs.

As regards the terms of treaties with these cities, they vary from one another only slightly. Balādhurī reports that the people of Buṣrā agreed to pay a dinar per head and a measure (jarīb) of wheat on each jarīb of land.<sup>2</sup> According to another report, the supply of oil and

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1. J.B. Bury: History of the Later Roman Empire, London, 1923, Vol. I, pp. 40-48. Cf. Denn. 51.

2. Bal., 120.



vinegar was also included in the treaty.<sup>3</sup> Later on (during 'Umar's time) they were subjected to a poll-tax per head and a separate tax on their lands.<sup>4</sup> The terms of treaty with the people of Emessa, Damascus, and Jordan, according to Ṭabarī, were similar.<sup>5</sup> Some agreed to pay a fixed sum without any consideration to the future economic conditions, while others agreed to pay according to their capacity.<sup>6</sup> The treaty of Damascus contained the payment of cash, sharing of the land with the Muslims, a per-head levy of one dinar and a levy of one jarīb of produce per jarīb of land. The properties of the royal family and its entourage were treated as booty (Ghanīma).<sup>7</sup> The same terms were settled with the people of Ṭabariyya and Bīsān.<sup>8</sup> According to Khalīfa b. Khayyāt, the city of Damascus was subjugated under a treaty while the entire land was conquered by force.<sup>9</sup> Ibn-al-Faqīh, the geographer, has mentioned that four-fifths of the governorate of Damascus was covered by treaty.<sup>10</sup> Ṭabarī has repeated almost the same terms of taxes for Emessa while giving details, as in the case of Damascus.<sup>11</sup> Balādhurī has reported that the people of Emessa<sup>12</sup> like the people of

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3. Bal., 157.

4. Bal., 157.

5. Tab., 1, 2392.

6. Ibid.

7. Tab., 1, 2154.

8. Tab., 1, 2159.

9. Khalifa, 1, 112.

10. I.F., 105.

11. Tab., 1, 2392.

12. On another authority Bal., 136 has given a fixed amount of 17,000 dinars of levy on Emessa. This was perhaps the first stage of agreement which was later on made uniform with other cities.

Bā'labak and some other towns were to pay poll-tax and land-tax,<sup>13</sup> but has failed to give a report about the proportionate amount of levy. He records the same terms for the payment of poll-tax and land-tax for Fahl and many other cities of Jordan.<sup>14</sup> The terms of treaty with the cities in Palestine were also basically similar.<sup>15</sup>

The contents of the treaties recorded by Ṭabarī and Balādhurī suggest that in many cases the nature and the amount of levy were not defined immediately after the conquest. The confusion in the use of the terms Jizya and Kharāj is more pronounced in the case of many reports about the cities in Syria than anywhere else. It seems, as already discussed earlier in this chapter, that the two have sometimes been taken to mean tax or tribute without any regard to its nature. For example, Khālīd is reported to have written for the people of Damascus that "They will be well-treated if they pay Jizya."<sup>16</sup> This simply means that the taxes and the liabilities were yet to be levied on them. Moreover, "the officer of Adhru'āt requested the Muslim Commander to offer him the same terms as were offered to the people of Buṣrā and to declare the lands of al-Bith'thīn as Kharāj lands. The commander agreed to it."<sup>17</sup> "Abū-'Ubayda...appointed Yazīd b. Abī Sufyān in his place and started for Emessa and settled an agreement with the people of Emessa that...whoever among them will stay will have to

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13. Bal., 136-37.

14. Bal., 120-22.

15. Bal., 144; Tab., 2405-7.

16. Bal., 128.

17. Bal., 132.



pay Kharāj";<sup>18</sup> "so the lands in Emessa were given to them on condition that they pay Kharāj without any regard to boom or scarcity";<sup>19</sup> in all these quotations the word Kharāj has been used to convey the sense of both the taxes as also tribute. Similarly Balādhurī reports that the people of Jerusalem agreed to pay something in lieu of the properties that were left within the fort"...<sup>20</sup> and suggests that they were to pay something like Kharāj but not Jizya; but Tabarī reports that they agreed to pay Jizya and opened the gates for him (for 'Umar).<sup>21</sup> The fact is that, as other reports suggest they were made to pay both the taxes. These and all such instances simply reflect confusion in reporting. But all the reportings taken together and reconciled to each other suggest two to three stages of taxation during 'Umar's time. In the first stage the absolute term of Jizya or Kharāj without any mention of rates was decided. In some cases a dinar and a measure of produce of land was levied while in some other cases this was the second stage of taxes - the implementation of the levy. This was in comparison with the terms that were decided after the conquest of Sawād (Iraq) - a dirham and a measure of the produce of the land. Supply of provisions for the army was over and above this condition and it stands to reason that this should have been levied in the very first stage. The next stage began with 'Umar's visit to Jerusalem while he defined the taxes as per-head levy (Jizya)

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18. Bal., 137.

19. Tab., 1, 2392.

20. Bal., 144.

21. Tab., 1, 2403.

of money and per-jarīb levy of land produce. Then came the last stage of 'Umar's reorganisation of the tax system when he revised the rates. According to Balādhurī: "In the beginning the poll-tax in Syria was in terms of jarīb and dinar per head. Then 'Umar levied on 'the people of gold' four dinars and on 'the people of silver' forty dirhams and divided these people according to the wealth of the wealthy, the poverty of the poor and the average resources of the middle class.<sup>22</sup> According to another report by Balādhurī, 'Umar wrote to the commanders of armies to levy poll-tax on all those who shave, at a rate of forty dirhams for 'the people of silver' and four dinars for 'the people of gold' and he also advised the commanders to make them responsible for supplying provisions at a rate of two modī of wheat and three qist of oil, and fats and honey for every Muslim person in Syria and Mesopotamia.<sup>23</sup> Thus the government, as Dennett has observed in the case of Mesopotamia 'placed on the countryside the exclusive burden of providing food for the jund (army)...If, therefore, the country people had to bear the exclusive burden of providing the tax in kind it would seem proper to assume that the city people had the exclusive burden of paying the money tax.'<sup>24</sup> The new system perhaps followed a general census in respect of population in 639-40 (A.H. 18-19) and of all lands, men,

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22. Bal., 131.

23. Bal., 131.

24. Denn., 45-46.



animals and palms.<sup>25</sup>

Cyprus was conquered during 'Uthmān's reign. But it chose to impose upon itself the suzerainty of both the warring powers: Byzantine and Muslim. It agreed to pay 7,000 dinars to each.<sup>26</sup>

Successful military operations continued up to 'Uthmān's time. During 'Alī's Caliphate, Mu'āwīya seceded from the centre and the Muslim-Byzantine war took the form of 'see-saw'. While at loggerheads, Mu'āwīya, the ruler of Syria and Egypt, was compelled to pay 'some wealth' to the Byzantine ruler<sup>27</sup> to save the cities under his control. How much Mu'āwīya had to pay and for how long, has not been reported by any of the Muslim historians. But because this has also escaped the notice of the early Christian historians it seems that it was a purely temporary arrangement in respect of some particular Byzantine expedition. 'Abd-al-Malik also faced the same situation in the year A.H.70 and agreed to pay to the Byzantine ruler one thousand dinars per week.<sup>28</sup> The Muslim historians are again very brief on the point while some details are available in the Christian sources. Agapius (Mahboub) de Manbidg records: "The treaty between 'Abd-al-Malik and the Byzantine Emperor

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25. Michael the Syrian II Fasc.III, p.426, and Theophanes 55 Cf. Denn., 60-61. This evidence also indirectly confirms the different stages of taxation. The survey of the entire land and adoption of a uniform policy was impossible unless the whole of Syria etc. was captured which took some six to seven years. The cities already conquered in the early stages could not be left tax-free pending the entire conquest. So some sort of temporary taxation policy was adopted in the beginning.

26. Bal., 158; Tab., 1, 2826.

27. A.U., 445; Bal., 163.

28. Yaq., 3, 16; Tab., 2, 796.

provided for a ten-year period of peace and that the Emperor Justinianus should return from the Lebanon hills. In return 'Abd-al-Malik was to pay 1,000 dinars daily and horses and slaves. Moreover Cyprus was to be common between them."<sup>29</sup> But it seems this agreement was also not respected for long because shortly afterwards we find 'Abd-al-Malik despatching his expeditions along Byzantine borders.<sup>30</sup>

What was the total income from these levies is not given for the early period. But for Emessa, the amounts levied on different cities are also not recorded. Incomplete figures as given by Ya'qūbī and Balādhurī can be helpful in giving some idea about the amount of collections, and are reproduced below:

Table No.7.  
Amount of Collections from Syria

	Amount in dinars		
	Mu'āwiya's reign <sup>31</sup>	'Abd-al-Malik's reign <sup>32</sup>	A.H.158 (for compari- son) <sup>33</sup>
Damascus	450,000	400,000	420,000
Emessa, Qinessrin, 'Awāṣim	170,000 <sup>34</sup>	800,000 <sup>35</sup>	990,000
Jordan	180,000	180,000	97,000
Palestine	450,000	350,000	310,000
Cyprus	7,000	8,000	7,000
Total	1,257,000	1,738,000 <sup>36</sup>	1,824,000

29. Patr.Or., 8, 497.

30. Tab., 2, 853.

31. Yaq., 221-22.

32. Bal., 197.

33. Ibn Khal. Cf. Lestr. p.45. The figures have been included only with a view to judging the authenticity of the other figures, by comparison.

34. The amount pertains to Emessa only in the first stage of the treaty.

35. Or according to another tradition 700,000 dinars.

36. Or with the amount given in Ibn 1,638,000 dinars.



In view of the sharp increase of taxes in the year 81, as compared with the figures during Mu'āwiyā's reign, it may be suggested that the amount for Mu'āwiyā's reign pertains to his pre-reform period, and thus would also possibly be relevant to the pre-Mu'āwiyā period. Up to Mu'āwiyā's reform the taxes for the peasants on an estate were paid by the possessor of the estate, who collected the amount as a sort of rent, but Mu'āwiyā introduced the practice, along with his general reorganization of the empire, of collecting all taxes directly from each peasant; without intermediation of the landlord.<sup>37</sup> Michael the Syrian reports that in the year 980 of the Greeks, 9 of Mu'āwiyā and 54 of the Arabs, Abu'l-A'war made a census of the Christian peasants for the tribute in all Syria.<sup>38</sup> It would possibly be after this census that Mu'āwiyā introduced his reforms. Another reason for the increase in the amount should be Yazīd's raising of the rates of poll-tax in Jordan and Palestine<sup>39</sup> and the levy of an additional tax on land over and above the levy by way of provisions for the army.<sup>40</sup> Yazīd is stated to have enhanced the amount of poll-tax to five dinars per head<sup>41</sup> in the case of Sāmira in Palestine. The tax in Cyprus, which was so far 7,000 dinars, was raised by 'Abd-al-Malik to 8,000, but reduced by 'Umar II to the original 7,000.

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37. Denn., 62 (sic.)

38. Michael the Syrian, II. Fasc.III, p.450. cf. Denn, 62. Dennett has criticised the corresponding dates.

39. Bal., 162.

40. Ibid.

41. Ibid.

This was again raised to 8,000 by Hishām and remained so until the 'Abbāsīd Caliph Manṣūr reduced it again to the original amount.<sup>42</sup> Like the Banū Taghlib of al-Jazīra, the people of al-Jarjūma, the Nabaetians of the suburbs of Antioch, who had helped the Muslims during war and who were a threat to peace and defence, were, in A.H.89, exempted from the payment of poll-tax. Not only were they taxed like the Muslims - a higher privilege than that enjoyed by Banū Taghlib; but they were also entitled to salab, pensions ('atā') and provisions like Muslim soldiers.<sup>43</sup> So far the practice was to link poll-tax with the granting of protection. Now it was also treated as a charge for exemption from military service. That is why when al-Jarājima fought with the Muslims, poll-tax was withdrawn. So far there might be such instances in individual cases only but the wider and more general application of this rule carried significance for the later jurists.

The terms of the treaties and the nature of the later developments derive at the following main points of the taxation policy in Syria (including Palestine and Jordan).

1. Unlike Iraq almost the whole of Syria was conquered through treaties. These treaties were made with the separate municipal units as were functioning under Byzantine rule.

2. There were two methods of levy employed by 'Umar in Syria. A fixed tax of one dinar on each man plus a quantity

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42. Bal., 159.

43. Bal., 164, et.seq.



of grain on each jarīb, and a proportional tax on the harvest.

3. The old administrative structure was retained only for some time but because the government now wished to exercise more and direct control over taxation in view of eliminating the unnecessary element of intermediation, it took upon itself the responsibility of assessment. Collection was, however, left in the hands of the local people. They were also required to hand over monthly supplies at the headquarter 's.

4. While the cities and the occupied lands enjoyed the privilege of treaty relationship, the royal estates and unoccupied and deserted lands were taken under state ownership and control.

5. Although the task of the assessment of taxes was taken over by the Muslims, collection was still the responsibility of the local people. This should have involved some expenditure; and to whose account this expenditure was debited is not given by historians. In the case of Iraq the Muslims had promised to bear the expenses of Muslim officials if the local people required their services. But it seems that the expenses incurred by the locals were perhaps the responsibility of the local people themselves. It appears, therefore, that these local collectors in Syria, as also perhaps in Sawād, transferred this burden to the assessee s, and thus levied tax over and above those which were to be transferred to the government. Although there is no concrete proof in support of this assumption in the case of Syria, the levy of such a tax in Egypt, as will be discussed in the relevant pages, provides ground for it.

MESOPOTAMIA  
(al-Jazīra)

The region lying to the north of Iraq (Sawad) and stretching between the Euphrates and the Tigris was conquered by the Muslims after the conquest of Iraq and Syria. Agapius de Menbidg has given the following account of the conquest:

Abu-'Ubayda sent 'Ibād b. 'Āthim<sup>1</sup> with a large army.... Then he ('Ibād) turned to al-Jazīra and conquered all her cities and granted them security under the agreement that they will send to him 100,000 dinars every year provided that none of the Arabs crossed the Euphrates (to enter al-Jazīra)...The people sent to 'Ibād b. 'Āsim Kharāj of one year and this was done by the patrician Būlīs (Polis ?) whom Heraclius had appointed governor of al-Jazīra. Heraclius dismissed him and exiled him to Ifrīqiyya and appointed patrician Baṭlīmūs as governor.<sup>2</sup>

The statement is not confirmed by Muslim historians on a number of points. Firstly a lump sum agreement for the whole of al-Jazīra was not made. Like Syria, al-Jazīra also fell not once but city after city under separate treaties - all of them following the terms settled with ar-Ruhā (Edessa), the capital. The conditions that Muslims would not cross into al-Jazīra is also contrary to the Muslim historian's records which follow in these pages.

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1. The original name is 'Iyād ibn Ghanam; but it seems to be a mistake in deciphering.

2. Patr.Or., 8, 476.



'Iyād b. Ghanam, according to historians, began his operations in the border town of ar-Raqqa en route to Edessa, the capital of the Byzantine part of the region. According to Balādhurī, 'Iyād spread his soldiers around ar-Raqqa where they arrested the countrymen and got over food and provisions. It was harvesting season there and when some five or six months elapsed in this way, the city officer conveyed to 'Iyād a request for the grant of protection to which 'Iyād acceded and granted protection to the lives, properties, children and the city of these people and made a treaty with him and said 'but the land is ours because we have trodden over it and secured it (qad waṭ'anāhā wa aḥraznāhā). Then he left all their land with them on the condition of paying land-tax, and gave to the Muslims those lands on the condition of paying 'Ushr about which they did not agree. He also levied on all of them, except women and children, a poll-tax of one dinar per head and fixed some qafīz of wheat and quantities of oil, vinegar, and honey. When Mu'āwiya became ruler, he levied these things on them as poll-tax...It is said that 'Iyād fixed a tax of four dinar per head but it is not correct; actually when 'Umar appointed 'Umayr b. Sa'd after 'Iyād, he ordered him to fix four dinar per head as had become the case with every 'person of gold'. Then 'Iyād reached Harrān where the people offered to accept the conditions which would be settled with the people of the capital Edessa. 'Iyād then reached Edessa....After a few days the people of Edessa requested for protection and treaty. 'Iyād agreed to their request and gave them the

following document. "In the name of God...this writing is from 'Iyāḍ b. Ghanam for the bishop (asqaf) of Edessa. If he will open for me the gate of the city on the condition that he shall pay on behalf of every man a dinar and two modii of wheat, he shall have security for himself and his property and for his fellows and followers. It is incumbent on him to guide the lost travellers, to repair bridges and roads, and to evince good-will to the Muslims..."<sup>3</sup>

Abū-Yūsuf has given a more comprehensive account of the conquest and the levy of taxes in al-Jazīra. A summary of the relevant portions is as follows:

"Al-Jazīra was partly under Byzantine and partly under Persian Empire. Abū-'Ubayda sent 'Iyāḍ for al-Jazīra. 'Iyāḍ started for the capital city of the Byzantine port and laid seige on the city. The governor, along with most of his army got off and the people of the city, the Nabaetians, sent their emissary to make a treaty with 'Iyāḍ who conveyed their desire to Abū-'Ubayda. Abū-'Ubayda asked Mu'ādh for his advice whereupon Mu'ādh said: "If you make a treaty with them on a fixed thing which, later on, they fail to pay you shall have no right to kill them, but the only alternative will be to cancel the agreed amount. On the other hand, if they become more well-to-do, they will be able to pay the amount without feeling the burden which God has desired them to feel. It is, therefore, suitable to accept their request for treaty but on condition that they

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3. Bal., 178.



shall pay land tax according to their capacity."

Abū-Yūsuf continues: "Abū-'Ubayda wrote this advice to 'Iyād who informed the people of the city about the condition. The reports about the later events differ. Some say they accepted the condition of paying according to their capacity while some others say that they agreed to pay only a fixed amount. In any case 'Iyād agreed to what these people wished. He then went to Ḥarrān whose people also agreed to these terms. Similar was the situation in respect of other towns and villages. After full control over the area, the Caliphs gave the people of the villages the same treatment as to the townsmen. But the provisioning of the army was made the responsibility of the countrymen and not of the townsmen. Some knowledgeable doctors say the Caliphs did so because the countrymen had fields and farms but the condition of the townsmen was different.

"As regards the Persian part of al-Jazīra, the population had already vacated it after the fall of Qādisiyya. But those who failed to migrate embraced Islam.

"'Iyād fixed on their chiefs a rate of two dinars per head plus two modī of wheat and two qists each of olive oil and vinegar. He computed a class of people (under each chief). When 'Abd-al-Malik became ruler, he deputed Ḍaḥḥāk b. 'Abd-ar-Raḥmān who found their levy very light. He, therefore, took a fresh census of the chiefs and treated all the people as labourers under them. He calculated the gross annual earnings of every person, deducted from it the cost of food and other requirements and of the festivals and found that this still left them with a

surplus of four dinars which he fixed for every man alike. While levying the tax he also took into consideration the factor of nearness to the city, and levied a dinar each for every 100 jarībs of land near the city, and for every two hundred jarībs remote from the town. Similarly a dinar each on every 100 gourds of vine and every 100 trees of olive near the city and every 200 gourds and 200 olive trees far from the city. The same technique was followed in Syria and Mosul."<sup>4</sup>

The above narrations depict almost all the important points about taxation in al-Jazīra. Yet Balādhurī has recorded a few more details which fit in the chain of events and make them more intelligible. These details are summarised as follows:

1. The towns and villages of al-Jazīra were conquered under treaties (sulḥan) but their lands were conquered by force<sup>5</sup> (ʿanwatan).

2. The terms of treaties with most towns were identical.<sup>6</sup>

3. The commissioner of Bidlīs (Ṣāhib Bidlīs) was made responsible also for collecting the Kharāj of Khilāṭ and (the tax on) its heads and also the amount due to the patrician of Khilāṭ.<sup>7</sup>

4. Ra's al-ʿAyn was captured by ʿUmayr b. Sa'd who levied there four dinars per head as poll-tax while the land was treated to be in the ownership of the Muslims.<sup>8</sup>

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4. Kh., 23-24.

5. Bal., 179.

6. Bal., 180.

7. Bal., 180.

8. Bal., 181.



5. Al-Jazīra continued to supply oil, vinegar and food for the Muslims for a time. 'Umar then reduced it to 48, 24 and 12 dirhams. Before this concession every man was to pay two modii of wheat, and two qists each of vinegar and oil in addition to his poll-tax.<sup>9</sup> This point is also perhaps confirmed by Theophanes and Michael the Syrian who observe that 'Umar wrote to his governors to straighten (taqsīt) the Kharāj system in all the places under his jurisdiction. So the registers (dawāwīn) were maintained and Kharāj was straightened on town to town, village to village and city to city and suburb to suburb, and the taxes and Ṣadaqat were collected.<sup>10</sup>

6. As was the case with al-Jarājima in Syria, Banū-Taghlib, an Arab race, perhaps Christians (Naṣārā) in al-Jazīra, were exempted from poll-tax and land-tax but subjected to Ṣadaqa (Zakāt) at double the rate levied on Muslims.<sup>11</sup> Unlike al-Jarājima who rendered military service for Muslims, the consideration in this case was purely negative. The government did not like the fact that this tribe might join their enemies. But they were not agreeable to pay poll-tax because, as they argued, they were Arabs. The compromise was effected on their paying double Ṣadaqa on the 'Zakat-able' items.<sup>12</sup>

The above details derive at the following points about the system of taxation in al-Jazīra:

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9. Bal., 187.

10. Theophanes, 341; Cedr. I, 752; Mich. the Syrian II, 424. Cf. Pat.Or., 8, 478.

11. Bal., 186-187; Kh., 69.

12. Ibid.

1. Most of al-Jazīra was conquered under treaty which followed the pattern of treaty settled by the people of Edessa and which provided for a tax in money as well as in kind.

2. Land was treated to be conquered by force and some unoccupied or deserted lands were also allotted to Muslims who paid 'Ushr on their produce. Thus the land was treated as Kharāj-land unlike the lands in Sawād which were generally treated as Fay'.

3. In the beginning a per-head tax of one dinar was levied over and above the supply of foodgrains, vinegar, oil and honey. But later on 'Umar introduced reforms and taxed the townsmen only for money at 48, 24, and 12 dirhams per head<sup>13</sup> and the countrymen only for provisions. The per-head monetary collection in the case of the townsmen was enhanced in lieu of the provisions which they had previously paid. In the same way it also stands to reason that the commodity levy in lieu of money should also have been enhanced for the countrymen.

4. While assessment was done by the Muslims, the responsibility of the collection of taxes was laid on the local officials. Here again the Bayt-al-Māl is not reported to have committed itself to bear the expenses of collection which, it can be presumed, was probably the responsibility of the local community.

5. For assessment purposes the population was, in the

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13. As discussed in the case of Iraq and Syria, the amount differed according to the resources of the tax-payer.



early stages, divided into towns or village communities. Mu'āwīya is stated to have introduced his reforms in al-Jazīra too but the details about them are not recorded. It is presumable that they might be just in line with what he introduced in Syria.<sup>14</sup>

'Abd-al-Malik again streamlined tax administration in al-Jazīra. He reconstituted the units of assessment by treating a number of workers working under a chief head as one unit and the chief head was made responsible for collecting and paying the taxes on their behalf. He also revised the taxes on land by taking into consideration the factor of nearness to the city. The way of taxing land before this period in al-Jazīra is not explicitly recorded but it is likely that this was not much different from what it was in Iraq.

As was the case with al-Jarājima in Syria, the Banū-Taghlib in al-Jazīra were also exempted from poll-tax and land-tax but, unlike the former, were subjected to double Zakāt on the negative consideration of stopping them from crossing into the enemy country.

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14. Supra.

## EGYPT AND THE WEST

(Miṣr and al-Maghrib)

Almost all the historians have recorded the role of 'Amr b. al-'Ās in sending relief supplies to Medina during the famine ('ām ar-ramāda) which occurred in Arabia in A.H.21. This suggests the capitulation of Egypt before this year.<sup>1</sup> Immediately after the conquest of Egypt, al-Maghrib was seized and 'Umar stopped his advancing general from crossing into the borders of Ifrīqiyya which was destined for 'Abd-Allāh b. Sa'd b. Abī-Sarḥ.

The account of the conquest of Egypt and particularly al-Maghrib (west of Egypt) is discussed by historians briefly perhaps because the Muslims did not have to exert as much force here as in Iraq or in Syria, and also because the whole of this region was conquered by 'Amr in less than two years. The Byzantine armies were already engaged in Syria and after its fall, in saving the remaining borders of the mainland. This hampered them from sufficiently reinforcing the garrisons stationed in Egypt and thus they lost the richest province which fed a large number of Roman and Byzantine people free bread for centuries.

'Amr started his operations from Pelusium (al-Faramā'). The local Copts were probably reluctant to resist him. The Byzantine garrisons stationed at different quarters resisted in vain and were either routed or they capitulated on the

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1. For useful and brief discussion on the chronology of the first conquest of Alexandria see S.L.P. 13 fn. For detailed discussion see Butler, The Arab Conquest of Egypt, Oxford, 1902.



condition of safe return to their mainland. An agreement was reached for the whole province. But the treaty could not last long. Heraclius disapproved it and despatched fresh contingents to reinforce the once defeated armies who again arrayed against the Muslims. By the year A.H.25 Alexandria revolted twice and was reduced.<sup>2</sup> The original treaty was obviously abrogated. It is said that during this period also, the local population did not actively support the Heraclian troops and tried to have an under-cover agreement with the Muslim commander. When Alexandria was fully and finally conquered after suppressing the revolt by force Zubayr pressed 'Amr to distribute the land as the Prophet had done in Khaybar. But 'Umar decreed what he had done in the case of Iraq.<sup>3</sup>

Leaving aside the chronology of events and the names of persons and the terms of treaty involved, this general story is discernible from the different resources, mainly Balādhurī. Severus observes that when the Muslims crossed Jordan to enter Egypt Heraclius concentrated his forces at Aswān. 'Amr defeated the Romans and captured a number of cities, advanced to Babylon between Ṣa'īd and Rīf, pitched the tents and named it Babylon al-Fuṣṭāṭ. The Muslims vanquished the Romans after three battles.<sup>4</sup>

The above statements suggest that at the time of the first capitulation of Egypt an agreement was reached. But later on the treaty was violated and thus abrogated. What

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2. Bal., 224. Severus, 107-8.

3. Bal., 220.

4. Severus, 107-8.

terms and conditions were originally settled and what changes were made after the abrogation of the treaty are not precisely explained by historians. Moreover, while in other lands different terms were settled with people of different cities the terms of treaty in Egypt seem to be different for different communities; the followers of the ruling church and the local Copts with a different church. It was natural, therefore, that the policy of taxation should also have been different for different communities.

But this situation seems to have confused the early historians in deciding if the whole of Egypt was taken by force or by treaty. They have recorded both the views on different authorities with stronger evidence for the former view. The later developments also suggest the continuing confusion throughout the period. What the Caliphs generally did suggested that they treated it as a land occupied by force. The confusion arises due to a number of conflicting reports which have been mixed up by historians without suggesting the chronology and the exact place of events. It seems worthwhile, therefore, to record the different reports on the subject.

When the prince of al-Yūna (Babylon) freed himself about his own affair and about the affair of its citizens, he settled the same terms for all the people of Miṣr as he had done for al-Yūna. They were agreeable to it and said: When these well-guarded people (mumtani'ūn) have had an agreement, we are more in need of protection because we are exposed. Kharāj was levied on the lands of Miṣr which amounted to a dinar for every jarīb of land, three artabas



of wheat and two dinars of poll-tax on each head.<sup>5</sup>

Al-Muqawqis settled with 'Amr to let the willing Romans go and to allow those who wished to stay on agreed terms. They also agreed that the Copts would pay poll-tax at two dinars per head. When the Byzantine ruler learnt about it, he was annoyed and despatched reinforcements who shut the gates of Alexandria and gave an ultimatum to 'Amr. Al-Muqawqis then came to 'Amr and said: I beseech you for three things: firstly, do not show that leniency to Romans which you showed to me because they have treated me as a traitor; secondly, do not abrogate the treaty for the Copts because they have not violated it; and, lastly, bury me in such and such a church in Alexandria when I die. To this 'Amr replied: this (last) condition is most acceptable to me."<sup>6</sup>

According to Yazīd b. Ḥabīb Al-Muqawqis the ruler of Miṣr settled with 'Amr to levy two dinars as poll-tax on Copts. When Heraclius knew of it, he was very annoyed and sent armies towards Alexandria and they shut its gates. Then 'Amr conquered it by force.<sup>7</sup>

According to the same source, a second treaty was made with the tributories of Miṣr which required them to pay two dinars for wheat, oil, honey, vinegar, in addition to two dinar per head.<sup>8</sup>

According to Abu'l 'Āliya 'Amr said: "I am sitting

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5. Bal., 216-17.

6. Bal., 217.

7. Ibid., 220.

8. Ibid., 218.

here at my seat and I am not committed to any treaty with any of the Copts of Miṣr. I may kill them if I will, I may take the fifth (Khums) of their properties if I will, or I may sell them if I will. But the matter of Anṭābalus is different because they have a treaty which will be respected."<sup>9</sup>

According to 'Abd-Allāh b. Ja'far Mu'āwiya wrote to Wardān for increasing a carat each on the Copts to which he wrote as to how could he do so while there was a treaty allowing for no increase on them.<sup>10</sup>

According to Sufyān b. Wahab, when Miṣr was conquered without a treaty Zubayr stood up and exclaimed: O 'Amr distribute it among us. 'Amr said: No! Unless I write to 'Umar! So he wrote to 'Umar who decreed to leave it as it was, so that posterity were also benefitted from it.<sup>11</sup>

Ibn An'ām's grandfather who took part in expedition against Miṣr, and 'Abd-Allāh b. Hubayra have reported that Egypt was conquered by force.<sup>12</sup>

Ziyād b. Jaz' who was also present in the expedition has reported that Egypt was conquered by treaty and criticised the policy of the Umayyad rulers of treating it as a land conquered by force.<sup>13</sup>

Husayn b. Shufayy said: "When Alexandria was conquered the number of surviving slaves was six hundred thousand excluding women and children. There was a disagreement between most of the Muslims and 'Amr, on the

9. Bal., 219.

10. Ibid.

11. Bal., 220.

12. Ibid., 221.

13. Tab., 1, 2581-84.



question of their distribution. 'Amr referred the matter to 'Umar explaining to him about the conquest and the general opinion about distribution (of slaves). 'Umar wrote to him to leave them undistributed so that their Kharāj becomes Fay' for the Muslims and a source of strength in waging war against the enemies. So 'Amr spared them, counted them, and levied Kharāj on them. Thus the whole of Egypt became a conquest through treaty (sulhī), paying two dinars for each person, not to be increased except that they are able to pay it corresponding to increase in the productivity of land outside Alexandria. Thus they (people out of Alexandria) paid both Kharāj and Jizya at a rate which was determined by their officers. Alexandria, on the other hand was conquered by force and without any treaty or condition, and the people there have no treaty or protection.<sup>14</sup>

According to Layth, Yazīd b. Ḥabīb used to say that the whole of Egypt was conquered by treaty except Alexandria which was vanquished by force.<sup>15</sup>

According to Yazīd b. Ḥabīb Mu'āwiya wrote to an officer to allot to 'Uqba a stretch of land measuring one thousand square ells. The officer declined on the ground that he had treaty land. On this 'Uqba observed that the treaty contained only six conditions: nothing will be snatched away from them or from their women or their children, nothing will be increased on them, and protection will be given to them and they will not be overburdened;

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14. I.A.H.(M), 84.

15. Ibid., p.84.

and I am a witness to these conditions.<sup>16</sup>

It is said that Mu'āwīya wrote to Wardān to increase their tax by one carat. Wardān wrote to him: "How would you increase when the agreement provides for no increase on them."<sup>17</sup>

According to Yazīd b. Ḥabīb when 'Amr conquered Miṣr, he settled with them that all the Copts should pay two dinars each major person excepting the women and children. They counted these assessed persons who numbered 8,000,000.<sup>18</sup>

Many other reporters, on the other hand, claim that Egypt was conquered by force and without any treaty or conditions.<sup>19</sup>

All the above reports have been made by Balādhurī, Ṭabarī and Ibn 'Abd-al-Ḥakam, without generally suggesting the context of these reports and this fact has confounded the whole issue. The sources suggesting the capitulation of Egypt do not mention if the terms of capitulation pertain to the first round of conquests or the last. In order to reach a precise conclusion, the following points also need clarification:

1. Why the ruler (or more correctly the competent officer) of Bāb-al-Yūna (Babylon) settled the terms for all the people of Miṣr? Was he the governor? Moreover, was Babylon the seat of the governor?
2. Why did the people of Miṣr fear their unprotected position as compared with Babylon? Was there only one

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16. Ibid., pp.85-86.

18. I.A.H.(M), 87.

17. Ibid., p.86.

19. Ibid., pp.88-89.



fortress at Babylon in the whole of the province of Miṣr (Egypt) with the only protecting army at Babylon?

Along with these questions the frequently occurring mention of Alexandria as exclusive of Miṣr is also meaningful in early records. "Zubayr earmarked two plots of land in Miṣr and Alexandria."<sup>20</sup> 'Amr stayed for some time after he conquered Miṣr and then wrote to 'Umar for permission to advance towards Alexandria."<sup>21</sup> "Miṣr and Alexandria were conquered in the year A.H.20."<sup>22</sup> These are only a few of the similar statements which are reproduced by historians. It is no less important to note that Muslims were not the first, nor for that matter the last, to distinguish Miṣr from Alexandria. Even centuries before Muslims, Egypt was sometimes named as Alexandria ad Aegptum.<sup>23</sup> In the later period the tenth century Patriarch Severus mentions: 'When Khusroes conquered Miṣr and controlled it, he made preparations to conquer the great city of Alexandria."<sup>24</sup> In view of the above statements the question arises if Alexandria at that time was not a part of Egypt?

The early Muslim sources do not clarify these points and it will be seen that this is the main cause of confusion. The solution to this problem may solve other problems too. Let us, therefore, look at other sources. A clue to the solution of the problem is given by John of Nikiu who

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20. Bal., 216.

21. Ibid., 221.

22. Tab., 1, 2580.

23. A.C.J., 139.

24. Severus, 103.

reports the capitulation of the city of Miṣr<sup>25</sup> and is supported by Abū-Ṣālih while he describes the church at the Island of Miṣr.<sup>26</sup> Severus also mentions the 'district of Miṣr and other cities'.<sup>27</sup> The Muslim historians suggest that Miṣr capitulated consecutive to Babylon, and after the capitulation of Babylon and Miṣr the Muslim armies started for Alexandria. These facts lead us to infer that the cause of confusion among the different historians was that they did not distinguish between the city of Miṣr<sup>28</sup> and the whole province which was also known by the same name. The questions listed above are solved if this fact is kept in mind. Thus the answer to the questions suggested above will be that Miṣr, in context of many (not all) reports of historians was a city near Babylon, poorly protected and populated mainly by the Copts. According to Ibn Duqmāq ancient Miṣr was located on the site of present Fustāt.<sup>29</sup> Evetts locates it on the 'north of Raudah or Roda, the large island near the Nile nearly opposite to the old city of Cairo.'<sup>30</sup> Moreover, the rationale behind 'Amr's seeking 'Umar's permission to advance towards Alexandria after the conquest of Miṣr is understandable in the context of the situation of Miṣr east of the Nile. When 'Amr conquered the east bank of the Nile he did not like to cross it to advance towards Alexandria without prior approval of the Caliph who did not encourage sailing across the waters.

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25. S.L.P., 3 fn.

26. A.S., 112 fn.

27. Severus, 108.

28. Also called Masra cf. Gibbon 5, 447.

29. Bal., 231.

30. A.S., 112 fn.



It transpires from the above discussion that the first stage of the conquests ended with the capitulation of the city of Miṣr - the eastern bank of the Nile. The second stage started after 'Umar's permission to cross the river en route to Alexandria. This fact can also be inferred from 'Amr's son, 'Abd-Allāh's statement but in view of general confusion it escaped a clear understanding. As regards al-Muqawqis, there is one who is to be found communicating at Babylon and then encouraging 'Amr to crush the Romans, and the other is to be found firstly resisting the Muslim onslaught at Alexandria and then suggesting to his people to come to terms with Muslim armies. Long before it a Muqawqis was also to be found sending some gifts to the Prophet.<sup>31</sup> All these traditions taken together suggest that Muqawqis was not the name of a person; it was the name of an office - the chief officer of the principal city. Balādhurī reports that when Alexandria revolted, Muqawqis withdrew from the revolt. 'Amr re-instated him and his colleagues in their offices; but some say that he was dead even before this war.<sup>32</sup> In view of the suggestion about Muqawqis the reports can be reconciled without contradicting each other. A Muqawqis of Alexandria (Cyrus) was called back by Heraclius after the first treaty with Arabs. Another Muqawqis (Manuel) was killed by the Muslims in war on Alexandria; there should have been a third Muqawqis to replace Manuel, and come to terms with 'Amr.<sup>33</sup>

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31. Watt (Medina), 345.

32. Bal., 223.

33. For another possible interpretation see But., 508-26.

The above discussion leads to the following conclusion: 'Amr had settled the terms of treaty after the capitulation of the city of Miṣr. Then the same terms, or with some changes, were reconfirmed at Alexandria, now for the whole of Egypt - Miṣr or the eastern bank of the Nile, and Alexandria or the western bank. After the revolt of Alexandria, the treaty was abrogated. When 'Amr was reminded of the supporting role of the Copts, and the retention of the treaty for them, he did not clearly commit it. Yet he behaved generously, spared them and levied tax on them, rather than killing or enslaving them according to the prevalent rules of war. When a similar behaviour was adopted with the people of Iraq it was later on taken to mean a self imposed treaty. The confusion in the case of Egypt was further caused by ignoring the sequence of events and the chronology of the conquest. It also seems that in some cases full reports are not reproduced. For example the statement attributed to 'Amr's son 'Abd-Allāh suggesting the truth behind the misunderstandings, seems to have been half-produced and thus it has distorted the real picture.

The treatment of the issue given above is the short cut to explain the question of this sort in these pages. In essence, it is generally in line with the comprehensive work produced by Butler<sup>34</sup> who has skilfully combined the early Muslim and the Christian records of history and greatly cleared off many confusions and ambiguities. But unfortunately the work is not so helpful for our purpose

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34. Butler, Alfred J: The Arab Conquest of Egypt and The Last Thirty Years of the Roman Dominion, Oxford, 1902.



which is outside the scope of his work. Bell has tried to compensate for this lacking, but as Dennett would put it, he "was not an Arabist and was dependant, therefore, on the evidence of Becker for the information to be derived from Arabic sources."<sup>35</sup> As a result his work is exposed to all those objections which apply to Becker's work.

While the confusion in the chronology of events could be cleared off by combining and reconciling the Muslim and the Christian records, the confusion in respect of the terms and conditions of the treaty still remains to be thrashed out. As regards the social and political concessions contained in the treaty, it can be believed, as is also evident from different sources, that they were not different from those given elsewhere. They include protection of life, properties and churches, freedom of religion, exemption of women, children, decrepit and the monks from poll-tax. But, unfortunately, the differences among historians reach their climax on the point of the amount of tax. The following are some of the amounts which are reported to have been levied:

According to Ṭabarī 'Amr settled the following conditions:

"...And the people of Miṣr if they are agreeable to this treaty shall pay the Jizya (poll-tax); when the inundation of their river has subsided, fifty million...."<sup>36</sup>

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35. Den., 7.

36. Lane-Poole (S.L.P. 6n) seems to be to the point in suggesting that this is probably a slip for "pay the poll-tax [of two dinar a head] and fifty million dirhams in land-tax (Kharāj) for it would be the land-tax not poll-tax that would be modified in proportion to the fertility dependent upon the extent of inundation.

And as for those who will not enter into this treaty the sum of the poll-tax shall be reduced in proportion; but we are not responsible for their protection. If the rise of the Nile is less than usual the tax shall be reduced in proportion to the decrease...The collection of taxes shall be in (instalments of) one third at each time...."<sup>37</sup>

According to 'Abd-Allāh b. 'Amr the treaty which originally covered the people up to the city of Miṣr (Babylon) called for a poll-tax of two dinars per head, a levy of two dinars on the owners of land; in addition to three artabas of wheat, two gists each of oil, vinegar, and honey. 'Amr also required them to supply for his soldiers yearly dresses. These terms, according to 'Abd-Allāh, were extended to the whole of Miṣr (Egypt). Lands of Egypt were subjected to land tax at a rate of one dinar per jarīb plus three artabas of wheat and two dinars on each adult.<sup>38</sup> According to Ya'qūbī when the whole of Egypt was conquered 'Amr collected fourteen million dinars at a rate of a dinar per head and two artabas of wheat per hundred artabas.<sup>39</sup> As regards the total receipts under this treaty Ya'qūbī has given the figures of fourteen million dinars,<sup>40</sup> Maqrīzī at twelve million,<sup>41</sup> Balādhurī at two million,<sup>42</sup> Ibn 'Abd-al-Ḥakam at twelve million as compared with twenty million dinars which, according to

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37. Tab., 1, 2588-89.

38. Bal., 217.

39. Yaq., 144.

40. Yaq., 2, 144; Yaq.(B), 339.

41. Maq., Kh., 1, 98.

42. Bal., 217, 220.



him, Muqawqis used to collect before Islam.<sup>43</sup> The most paradoxical figure is given by Severus for a period when, according to Muslim historians, the amount had much decreased, viz., two hundred million dinars excluding the charges for so many other expenses during the early Abbasid period,<sup>44</sup> although according to Abu-Ṣāliḥ the total of receipts during Maḥdī's period amounted to 1,828,000 dinars<sup>45</sup> while in Hārūn's period, according to other sources, it was four million dinars.<sup>46</sup> Sa'īd (Eutychius) is inclined to suggest an amount of twelve million while he confirms that the number of taxable Copts in Egypt was six million who were taxed at two dinars per head.<sup>47</sup>

Some sources also give the amount of collections exclusively for Alexandria. Balādhurī has given two different versions: (1) 13,000 dinars and two dinars per head on Copts and, (2) 18,000 dinars.<sup>48</sup> According to Maḥboub al-Manbiḡ (Agapius) the treaty between 'Amr and 'Qurra',<sup>49</sup> the patrician of Alexandria, provided for the payment of 200,000 dinars per annum, provided 'Amr did not over-run Egypt. 'Qurra' lived there for three years and no Arab entered there during his time. Then some Egyptians reported to Heraclius of 'Qurra's' payment of wealth to Arabs...and of his payment of Kharāj. Heraclius was annoyed and sent patrician Manuel to dismiss 'Qurra'....When the Arabs again came to collect their money, Manuel was displeased.

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43. I.A.H.(M), 161.

45. A.S., 83.

47. Scr.Ar., VII, 24.

49. May mean 'Cyrus'.

44. Severus, 204-5.

46. Yaq., B, 339; Maq.(Kh), I, 81 l.

48. Bal., 224.

'Amr invaded Alexandria and pushed them out and conquered Egypt.<sup>50</sup> According to Maqrīzī, 'Amr collected 600,000 dinars from the ahl adh-dhimma<sup>51</sup> in Alexandria. According to his other report the amount stood at 12,000 dinars in the beginning and rose to 36,000 dinars in Hishām's time.<sup>52</sup>

The above figures give a very intriguing picture of the real situation. While the minimum amount of land tax and poll tax for Egypt is reported by Bāladhurī at two million dinars the maximum amount as suggested by Severus stands at 200 million for the 'Abbāsīd period. If any credence is given to the latter report the amount during the early period will come to between 300 and 400 million dinars. The matter does not end here. Some historians have added to the confusion by suggesting much more paradoxical figures for the population of Alexandria and Egypt.<sup>53</sup> Ya'qūbī, while he gives the amount of fourteen million at one dinar per head, admits the population at fourteen million persons; Eutychius at six million of taxable persons,<sup>54</sup> Ibn 'Abd-al-Ḥakam too at the latter figure at a rate of two dinars per head, and according to yet another version eight million taxable persons at a similar rate.<sup>55</sup> For Alexandria alone Maqrīzī has reported the Jewish population at 600,000 during the Roman rule and an equal number of total taxable persons after the Muslim conquest. His third version suggests a taxable population

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50. Patr. Or., 8, 471.

52. Ibid.

54. Scr.Ar. VII, 24.

51. Maq.(Kh), 1, 79.

53. Yaq., 2, 144.

55. I.A.H.(M), 70.



of three hundred thousand.<sup>56</sup> Ibn 'Abd-al-Hakam has reported a hundred thousand only of Romans, and forty to seventy thousand Jews excluding the Copts.<sup>57</sup>

With the above figures one may quickly infer that some of the historians have based the estimates of population on the recorded total collection: so much money divided by two, the rate of per head poll-tax, will give its product in terms of taxable population. It is no doubt an easy-way-round but can be convincing only when, contrary to all historical records it is believed that, firstly, there was no other levy except poll-tax and, secondly, there was no increase in the rate of levy. But all the historians agree that at the stage of conquest by force land-tax was also levied in addition to poll-tax. Moreover, Balādhurī has reported that 'Umar himself replaced the levy in commodity by two dinars making the total levy to four dinars.<sup>58</sup> There seems to be no reason to suspect the authenticity of the report mainly in view of the fact that similar reforms have been reported about other provinces too.

As regards the figures of total population ranging between fourteen million and 240<sup>59</sup> million there seems to be ground to suspect the validity of such a paradoxical estimate. Population is the counting of living human beings. If in the first century of Hijra (A.D. seventh) the population was 14 million or 24 million persons the present

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56. Maq. (Kh), 1, 62, 66, 79. 57. I.A.H. (M), 82.

58. Bal., 218.

59. Computed with 8 million taxable persons.

population of the country should have reached about 150 to 250 million, even rejecting the Malthusian theory of growth at geometric ratio. If it is not so, there should be some reports of large scale toll of human life through epidemics or wars. If there is also no such report, there should be some proof of large scale migration or exodus of the population to any other place. In the latter case there should have been the reports of explosion in population in that part of the world where they migrated. But in the absence of supporting demographic evidence it will be safe to believe that the figures of early population of Egypt as have come down to us are based on some sort of misunderstanding. And as this misunderstanding occurs in Egypt, in overestimating its population, the same situation seems to have occurred in underestimating the population of Alexandria. A poll tax of 12,000 or 18,000 dinars will credit Alexandria with 6,000 or 9,000 taxable persons or an approximate total population of 20,000 or 30,000 persons. Alexandria, at the time of the conquest, was not that small a city to be proud of only 30,000 persons. Severus has reported of the presence of 600 busy churches (dayr 'āmir) in Alexandria during the same period.<sup>60</sup> This figure can also be rejected as safely as the reports that it had 4,000 bath houses, 400 playhouses and 12,000 grocery shops and the like.<sup>61</sup> But the fact that Alexandria was a big and densely populated city cannot be doubted. The multitude of

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60. Severus, 103.

61. I.A.H.(M), 82; Scr.Ar., VII, 26.



population can be guessed by the fact that in the beginning of the seventh century John the Almoner could find only 7,500 persons in Alexandria who needed charity<sup>62</sup> and this number was treated to be a very small segment of the total population.

Census of population was conducted by the Roman and Byzantine rulers. But unfortunately the records to suggest the number of heads have not yet come to hand. In the early Islamic period too census was conducted; not once, but at least four times by the end of the Umayyad period. 'Amr might have relied on the figures furnished by the continuing officers in the initial stage of his governorship. Severus attributes to 'Abd-Allāh b. Sa'd the first maintenance of registers and organisation of administration.<sup>63</sup> According to another report 'Ubayd-Allāh conducted a census of men and livestock and surveyed land and trees during Hishām's Caliphate.<sup>64</sup> Before him Ibn Rafā'a had also conducted an intensive census and surveyed lands in the whole country accompanied by a large number of staff working for several months.<sup>65</sup> During this whole period there also appear the reports of the recompilation of the registers and perhaps with it the administrative structure too. While Severus names 'Abd-Allāh b. Sā'd as the first to set up taxation registers (dīwān or offices) al-Kindī names 'Amr as the founder of the administrative machinery who also took census and conducted a survey followed

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62. J.W., 237.

63. Severus, 111.

64. Ibid., 154; Kindī, 73.

65. I.A.H.(M), 156.

by 'Umar<sup>II</sup>'s governor. Later on Qurra and Bishr b. Ṣafwān also did the same in their governorships respectively.<sup>66</sup> Ibn 'Abd-al-Ḥakam includes Ibn Rafā'a as among those who conducted an intensive survey of land, livestock and men. His report is very emphatic in suggesting a very large population in the province. He reports that when Ibn Rafā'a became the governor of Egypt he set about a census in order to reassess the taxes. He worked for six months and reached Aswān with a team of assistants and scribes. He spent three more months in the lower part. There were more than 10,000 villages and even the smallest of them accommodated no less than 500 tax paying persons.<sup>67</sup>

With all these details about census and survey it is difficult to believe that the early historians only used their wild guesses in suggesting the total number of heads. They must have had some reason to honestly believe in the reports quoting such high figures. But it is now very difficult to put a finger on the source of this misunderstanding. It would require a great deal of demographic research to prove that the race to which the Copts belonged was tending to decline in rate of growth. There remains, therefore, to be no other solution than to brush aside the factor of population in discussing the revenues of Egypt at least at this stage.

Before discussing the question of the total collections :

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66. Kindi, 71.

67. I.A.H.(M), 156.



in Egypt care will have to be taken of the volleys of criticism that have been made by modern historians who are oversensitive to the figures reported by the Muslim historians. Butler, and following him Johnson, criticise the figures of total collection by observing that 'if these figures were divided by ten they might be more credible.'<sup>68</sup> Gibbon is also startled by these figures, but did not insist upon the formula of dividing by ten.<sup>69</sup> But unfortunately the basis of the information of the first two is the extremely insufficient fragmentary evidence about the pre-Islamic period from which one cannot make out a reliable statement of fact. As a result the economic history of the pre-Islamic Egypt is replete with presumptions, and wild guesses. The most important source of information about this period is now supposed to be the Greek Papyri which cover only a few isolated villages and give out some incomplete units of figures for different periods and sometimes even undated. These Papyri are frequently exposed to various conclusions at one and the same time and can be used by the scholars to fit in with the many a priori theory<sup>70</sup> and idee fixe.

In spite of this weakness in the study of the economic statistics of the pre-Islamic Egypt, it will not be advisable to altogether ignore the available information. They can, to some extent, provide the tools to break fresh grounds.

While criticising the early Muslim figures Johnson has tried to estimate the probable total collections of Egypt

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68. A.C.J., 126; J.W., 264. 69. 5, 458.

during Justinian's period (around A.D. 540) and has compared them with the Muslim period (A.D. 643 = A.H. 41). According to his presumptions the wheat levied by Justinian, if converted into money, would be worth 800,000 solidi. The largitionalia would normally add 500,000 solidi. The gold annona at Aphrodito was normally about a sixth of the canonica, and probably all of these should be reckoned as part of the revenue sent to Constantinople. If we add the customs dues, taxes on vineyards, gardens, and trades, the revenues from imperial estates and government monopolies, it is not impossible to estimate the total income of the Byzantine rulers at 2,000,000 solidi annually.<sup>70</sup>

Before making any comments on the above figure it would be worthwhile to list down the taxes that are supposed to have been levied in Byzantine Egypt, although there is much obscurity as to the total amount of tax that was raised by the Byzantine Empire. Fragmentary evidence suggests the existence of a multiplicity of taxes that were inherited by it from the Roman period and many of which continued till last. The amount which was contributed by Egypt was a matter for special consideration by the emperor year by year. He not only decided how much revenue was to be raised in the province, but issued special instructions as to the manner in which it was to be collected. The most important of all the taxes levied in Egypt was the corn tax, embole, which was collected in kind from the

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70. A.C.J., 126.



villages and used to furnish the tribute of the corn sent to feed Rome.<sup>71</sup> One of the lists available for the period, apparently refers to this tax, and the rates vary from two and a half to seven artabas per aroura, the commonest being four and twenty seven fortieths artabas.<sup>72</sup> In the sixth century Justinian set the tribute in grain at 8 millior units presumably artabas. This amount would be sufficient to apply approximately 600,000 people daily.<sup>73</sup> Another tax, payable, like the embole, in corn was annona. Details as to this tax are rare, but it appears probable that it was for the supply of the allowance of corn made to Alexandria as the embole was for that to Rome and Constantinople.<sup>74</sup> A further charge upon the village granaries was met in the form of certain payments for charitable purposes, which was made in corn payable either through a special tax or chargeable upon the common property of the village.<sup>75</sup> The gardens were also liable to a tax payable in money. The rate of tax on trees and plantations cannot be determined but in one case the tax was ten drachmae per aroura, in another list it was from twenty to forty.<sup>76</sup> There were other taxes on lands payable in money, the nature and amount of which is presently obscure. A charge of 'naubian' is several times mentioned; but there is nothing to show what its precise object was, beyond the fact that it appears among other imports levied on real property; nor what its rate was except in one instance, where it seems to have been

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71. J.G.M., 118.

73. J.W., 236.

75. Ibid.

72. Pap., 267; cf. J.G.M., 119.

74. J.G.M., 120.

76. Ibid., 120; A.C.J., 128.

assessed at approximately one hundred drachmae per aroura.<sup>77</sup> Entries for receipts for "geometrica" are also found on the same list as also the one named "arithmeticon" apparently on house property, along with most of the taxes already mentioned; but the particulars relating to these charges cannot be determined.<sup>78</sup> House property was subject to tax presumably at a hundred drachmae for each house.<sup>79</sup> The cattle-tax was levied on various kinds of flocks and herds separately.<sup>80</sup> All inhabitants of Egypt between the ages of fourteen and sixty, with the exception of certain privileged classes were liable to pay a poll-tax.<sup>81</sup> According to Hussey the system of taxation in the Byzantine Empire since the third century A.D. had been that of the ingatio-capitatio and with many alterations it remained in force during the whole Byzantine period. As the name indicates the system established on the one hand a taxation according to the yield of the soil, on the other a capitation fee per head of the labouring population.<sup>82</sup> But Johnson thinks that urban population was exempt from this tax.<sup>83</sup> Romans and Alexandrians were also exempt from most capitation levies.<sup>84</sup> In addition to income from monopolies, the customs dues became an important source of revenue. These included octroi as well as import duty.<sup>85</sup> Other indirect taxes which were formed in the same way as the

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77. J.G.M., 120-21.

79. Ibid.

81. Ibid.; J.M.H., 2, 73.

83. A.C.J., 109, 112, 122.

85. Ibid., J.G.M., 123.

78. Ibid.

80. Ibid.; A.C.J., 128.

82. J.M.H., 2, 73.

84. Ibid., 109.



customs were the enkyklion, a fee of ten per cent on sales, a fine of five per cent on inheritance and one at a similar rate on manumission of slaves.<sup>86</sup> Greek Papyri suggest that Justinian also introduced 'air tax' which was levied as an addition to the ordinary tax but the nature of the tax is not explained.<sup>87</sup> A tax was also paid by traders of all descriptions, the sum payable being reckoned on the monthly receipts of the business in each case. This was therefore a kind of income tax.<sup>88</sup> Another burden which was laid upon the inhabitants of Egypt consisted in the posting rights claimed by officials although in principle it had been restricted by the decree of the prefect.<sup>89</sup> The work of repairing the dykes and clearing the canals partook somewhat of the nature of liturgy in as much as it was compulsory though it was joint labour for a common purpose.<sup>90</sup> Temple property was not, as such, exempt from taxation. It paid the ordinary taxes; and there were in addition special taxes levied under the names of altar tax, tax on offerings and 'lesonia'.<sup>91</sup> The priest also paid a special tax known as epistatikon.<sup>92</sup> There are also records to suggest the exaction of some levies called diagraphae and these have been explained as poll tax.<sup>93</sup>

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86. J.G.M., 124.

87. Pap. IV., Intr. 1357.

88. A.C.J., 109; J.G.M., 122.

89. J.G.M., 126.

90. Ibid.

91. Ibid.

92. Ibid.

93. A.C.J., 122.

The above list cannot be claimed as comprehensive or conclusive because of the nature of the evidences on which it is based. It is possible that records of many more taxes have not so far reached us; it is equally possible that a particular tax that has been inferred from some incomplete record did not exist at all, and the amount actually refers to some other transaction which is misunderstood. Similar is the case of the few rates of levy at isolated places, that have come down to us. In spite of all these formidable handicaps in the study Johnson has tried to conjecture the probable total collections on the basis of Justinians assessment and come to the conclusion that the Byzantine rulers would be receiving 2,000,000 solidi annually;<sup>94</sup> an amount which Balādhurī seems to have suggested for 'Umar's period.<sup>95</sup> The question arises: Are Johnson and his predecessors justified in their criticism of the figures reported by early historians and comparing them to the figures of A.D. 530-50? A mention has already been made of the source of their information which can be of some use in formulating various theories but not necessarily in arriving at facts. Apart from this, these scholars have totally ignored the difference in the boundaries of the governorate of Egypt between Justinian's and the Muslim period. In Justinian's period, as Johnson himself records certain parts of Egypt were transferred to Libya while under the early Muslim rule the whole of Egypt including Libya was under the governorate of Egypt. Even the conquered

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94. Ibid.

95. Bal., 217, 220.



lands of the south were merged with it. And this remained so up to the period when most of Ifrīqiyya was conquered and a separate governor was appointed to control Al-Maghrib and Ifrīqiyya. Mu'āwiya again merged the entire western provinces with Egypt under Maslama who himself appointed a lieutenant governor Abu'l-Muhājir to look after his western region.<sup>96</sup> Mūsā b. Nuṣayr the governor of al-Maghrib had his capital at Qayruwān when 'Abd-al-Malik advised him to gear up for further conquest.<sup>97</sup> (see also map on p. 292). Moreover the amount suggested by him refers to what would have been actually received by the emperors but not what would have been collected, while the amount referred to by the Muslim historians refers to what was collected and not what was remitted to the centre.

In view of the above-mentioned differences between the areas of the governorate of Egypt before and during early Muslim rule (see also map on the next page) any comparison of revenues during the two periods having a gap of about a century is meaningless. Yet the figure which Johnson has suggested as a guess to estimate the total area under cultivation during Justinian's time may provide some ground for working out new figures. He is of the view that Justinian's levy of 8,000,000 artabas of wheat would require 6,400,000 arouras of arable land<sup>98</sup> which means an area of about 1,760,000 hectares<sup>99</sup> or about 4,460,000 acres of land under cultivation. If it is taken for granted that

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96. Tab., 2, 93.

97. I.F., 88-89; Khalifa, 1, 417.

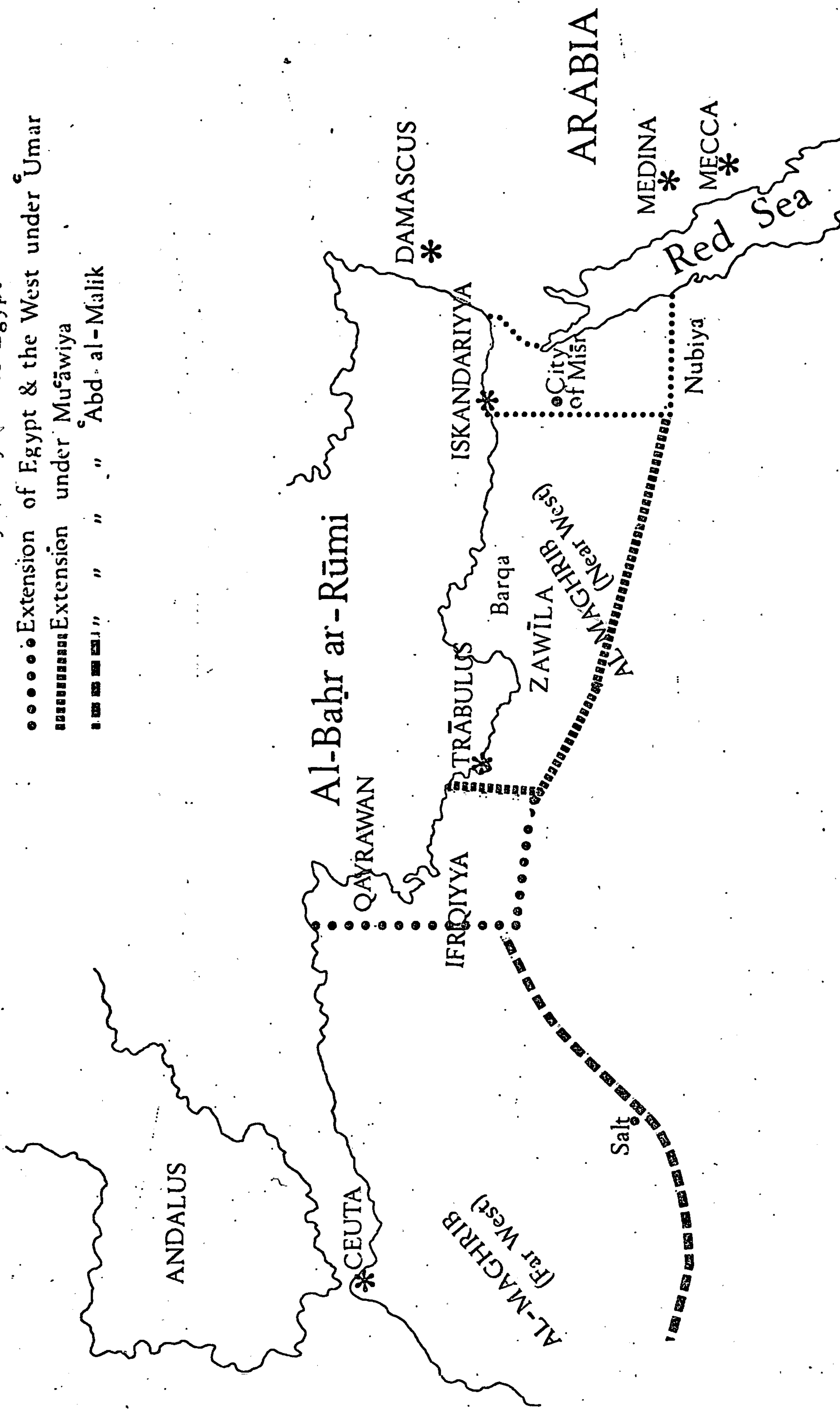
98. A.C.J., 124.

99. J.W., 237 n.

Map Showing the Tax Paying Areas of Egypt and the West

Fig 8.2

- ..... Boundary of Byzantine Egypt
- ..... Extension of Egypt & the West under 'Umar
- ..... Extension under Mu'āwīya
- ..... " " " 'Abd al-Malik





the total area under cultivation did not change within the last one hundred years the figure may provide a basis for conjecturing the total population engaged in agriculture and all its complementary and allied industries and trades. Let us suppose that with primitive methods of cultivation the average crop area per inhabitant would be about 1 acre. It will not be a rash assumption because up to the forties of this century the average crop area per inhabitant in Upper Egypt was 0.51 feddan.<sup>100</sup> With this estimate, which, it is supposed would be treated as modest, the total population of Egypt sufficient to cultivate 6,400,000 arouras of land and engaged in all the allied and complementary trades would be near about 4,500,000 persons or in other words about six to seven hundred thousand families. This will give a taxable population of about 1.5 million at a rate of two dinars. It is guesswork and not necessarily correct, but in the absence of any reliable evidence the figure may tentatively work as a datum.

Among the different figures quoted by the historians, Tabarī and Balādhurī are treated to be the most important and reliable sources of information, but both give two different figures for Egypt. According to Balādhurī, Wāqidī and Yazīd have reported that total receipts of land-tax and poll-tax amounted to two million dinars. The amount rose to four million during 'Uthmān's Caliphate.<sup>101</sup> According to the same source, the original agreement required

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100. Issawi, Charles: Egypt: An Economic and Social Analysis, London, 1947, p.47.

101. Supra.

the payment of poll-tax at a rate of two dinars per head and a land-tax of one dinar per jarīb of land.<sup>102</sup> According to Ṭabarī the agreed maximum amount was fifty million in case the Nile inundated its banks extensively; otherwise less.<sup>103</sup> It should not be ignored that Ṭabarī has not mentioned the unit of currency, which, as common sense would justify should be read as dirhams, equivalent to 5 million dinars. Secondly it was not a fixed amount, but was commensurate with natural phenomenon. The only fixed condition seems to be that the levy would not exceed five million; it could be reduced. Apparently this report is in conflict with Balādhurī's reports adduced on the authority of Wāqidī and Yazīd. But in fact the latter may accommodate for a number of interpretations. Firstly, the amount refers to the eastern bank of the Nile, or in other words, Miṣr, exclusive of Alexandria. Secondly, this refers to the amount which was remitted to the centre after deducting the expenses on administration, salaries, pension and stipends, repairs and constructions. Thirdly, this amount refers to the collections during the first three years of the conquest but not the period after the suppression of the revolt led by Manuel, after which, as was done in the case of Ḥīra in Iraq, the amount was enhanced by way of punishment. Fourthly, the amount refers to one third of the total annual taxes, because as Ṭabarī reports, the agreement contained the payment of tax in three instalments. Arguments can be adduced in support of each interpretation, but curiously,

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102. Supra.

103. Supra.



none contradicts Tabarī's report; they are all reconcilable to his. As pointed out earlier Tabarī does not give a fixed annual amount of land-tax, he gives a maximum which could be reviewed every year, in determining the extent of reductions. Now if it is supposed that the Nile had her full flooded inundation, and the land could produce enough to bring the maximum of tax the situation would be as follows:

Land tax	5,000,000 dinars
Poll tax @ 2 dinars per head, on 1.5 million taxable persons	3,000,000 dinars
Total	8,000,000 dinars

Keeping in mind the above figures it becomes easier to examine Ibn 'Abd-al-Hakam's report about total collections amounting to 12 million dinar. It has been pointed out that al-Maghrib and the southern lands of Egypt up to the frontiers of Nūbiya had already fallen during the same period and merged with the governorate of Egypt. Balādhurī has given the following report on the conquest of al-Maghrib in the year A.H.22 in 'Amr's wording which he addressed to 'Umar:-

"I have entrusted 'Uqba ibn Nāfi' with Al-Maghrib. He has reached up to Zawīla and the situation from Barqa to Zawīla is fully under control. Its people are fully subdued and whosoever among them has embraced Islam, paid Ṣadaqa. Those who came to terms have agreed to pay Jizya. I have levied on the people of Zawīla, and on those between Zawīla and my place, a tax which they can bear. I have advised all my officers to collect Ṣadaqa and distribute it among the needy, and to remit to me the amount of Jizya. I have also advised them to levy on the Muslims at a rate of one tenth and half of one tenth and on the tributories according to the agreed terms."<sup>104</sup>

None of the historians has given any statistics about Al-Maghrib except the fact that the city of Barqa agreed to pay 13,000 dinars.<sup>105</sup> It is, however, reported that Al-Maghrib was also the land conquered by force.<sup>106</sup> Thus the difference between the amount of total tax as calculated in the above lines and that reported by Ibn 'Abd-al-Hakam can be made up with the collections from the southern regions of Egypt (up to Nūbiya<sup>107</sup>), and from al-Maghrib. The total of 12 million greatly tallies with 100 million dirhams that was collected from Iraq during 'Umar's time, although its area as well as population were less than that of the governorate of Egypt. This however does not tally with the collections from the governorate of Dimashq (Syria and Palestine) because all the cities in there capitulated under treaty and secondly because most of the lands bordering Byzantine lands or waters were allotted to Muslims and made tax-free.<sup>108</sup>

The situation in Egypt, however, did not remain the same. During 'Uthman's Caliphate a part of Ifriqiyya was conquered and it also added to the revenues of Egypt. But

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105. Ibid., 225; I.A.H., 34; Yaq., 2, 146.

106. Bal., 219.

107. Nūbiya is excluded. Historians (Bal., 238) report that the Muslims made an agreement with the people of Nūbiya to have a number of slaves in exchange for a quantity of foodgrain. Tabarī (1, 2593) has termed it as a gift. Ibn Khaldūn reports that the agreement with Nūbiyans also provided for permission for free trade and peace. (Khal., 2, 115. Supplement). The agreement was made during 'Abd-Allāh b. Sa'd's governorship.

108. See Chapter on Syria and on Agriculture.



later on the provinces of al-Maghrib and Ifrīqiyya were separated to form another province; and their revenues too. Another reason for the decline in revenue as suggested by Ya‘qūbī was the gradual conversion of the people. The following figures for the total amounts of revenue have been reported by historians, for different periods:

Table No.8

## Amount of Collections from Egypt.

‘Umar <sup>109</sup>	12 million dinars
‘Uthmān <sup>110</sup>	14 million dinars
Mu‘āwīyya <sup>111</sup>	5 million dinars
For comparison:	
Hārūn <sup>112</sup>	4.2 million dinars
Māmūn <sup>113</sup>	4 million dinars.

As usual in other provinces, women and children, the very old and decrepit, and monks were exempt.<sup>114</sup> John of Nikiu reports of the exemption of churches too.<sup>115</sup> But this exemption would not, perhaps, cover the extensive landed properties owned by the church. That some of the Papyri also suggest the names of the priests as tax payers can be interpreted in this context.

As mentioned elsewhere, the treaty with Egypt called for the payment of an amount which was not fixed; only a

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109. I.A.H.(M), 161.

110. Ibid.

111. Yaq.(B), 339.

112. Ibid.

113. Maq.(Kh), 1, 81.

114. I.A.H.(M), 70; Bal., 215, 216, 220.

115. Cf. S.L.P., 12.

maximum limit was fixed. The reduction in the amount depended on the poor inundation of the Nile. This was a consideration which the preceding rulers also did not ignore. In order to estimate the extent of inundation 'Amr had to depend on the judgement of the local population. He had fortunately inherited an organized machinery of administration which he fully utilized. 'Umar as usual advised him to first find out from competent local persons the secret underlying the development of land and thus increase its economic efficiency. 'Amr asked Muqawqis about it and informed 'Umar. When the situation favourably normalised 'Amr reorganized revenue administration.<sup>116</sup>

Initially, the supply of wheat, oil, vinegar, and honey was also made compulsory in addition to the payment of two dinars. But as was done elsewhere, here also the commodity payment by the urban population was replaced by two dinars per head. Thus the burden of the supply of provisions became the responsibility of the land owners. Mu'awiya introduced reforms to bring in consistency in the system, followed by 'Abd-al-Malik; but the nature of the reforms in respect of Egypt is unknown. The Papyri showing the payments of both money and commodity by the land owners suggest that 'Umar's policy had long since been changed and also that the rates of levy were increased. The details given by Ibn 'Abd-al-Hakam suggest the levy of taxes for the benefit of clergy and public utilities like baths which have not been reported about in any other province.<sup>117</sup> It

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116. I.A.H.(M), 161.

117. I.A.H.(M), 153.



was traditionally inherited from the Byzantine period and continued by the Muslims. There is reason to believe that the entire collection and disbursement of these funds would have been entrusted to the local officers and, thus, in perspective of the 'Green'-'Blue' antagonism, exposed to many malpractices. Severus, himself a Copt, has cited a number of instances of the 'rivals'' injustice and tyrannies but did not let us know how the Copts behaved with their adversaries. It is through him that we come to know about 'Amr inviting Benjamin the Coptic bishop to return and look after the affairs of the church and his community.<sup>118</sup>

The amount of total collections is reported to have been increased in 'Uthmān's Caliphate due to the conquest of some regions in Ifrīqiyya. According to Wāqidī and Ibn Ka'b, 'Abd-Allāh b. Sa'd concluded a treaty with Gregory for payment of 2.5 million dinars.<sup>119</sup> The amount is also reported as three hundred qinṭārs of gold.<sup>120</sup> According to Khalīfa, Subayṭala capitulated in the year A.H.27 at 200,000 riṭl of gold.<sup>121</sup> Another reason for an increase in the amount of taxes was perhaps strict vigilance exercised by the new governor. Severus is inclined to credit him as the first to organise tax administration,<sup>122</sup> but he probably means that 'Abd-Allāh personally took interest in revenue affairs and did not leave them entirely in the local hands as 'Amr had done. During Mu'āwiya's reign

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118. Severus, 109.

119. Tab., 1, 2818; Bal., 228.

120. Ibid., Khalifa, 1, 165.

121. Khalifa, 1, 165.

122. Severus, 111.

some more conquests were made in the western parts of Ifrīqiyya but the impact of these conquests is not known. During his early period ‘Amr again took over as governor; now enjoying full powers. But Mu‘āwiya's period is known only for decline in revenues. There was no question of any substantial number of conversions so quickly after ‘Uthmān. The reason for this decline may be attributed firstly to the weakening authority of the centre during ‘Amr's governorship and after him the separation of the account of Egypt and al-Maghrib. The rise in the number of the privileged class, exempt from poll-tax, may also be one of the causes of decline but its impact should have been negligible. In the case of land-tax the exemption to any number of people would not affect the total collections because it was deemed to be a collective liability of each village. But poll-tax depended on the number of heads which were taxed and exemption from this tax would mean loss to the government. That is why we find ‘Umar II advising his governor to withdraw the exemptions and levy poll-tax on all the dhimmīs.<sup>123</sup> The report that Mu‘āwiya advised one of his officers to increase the poll-tax by one carat<sup>124</sup> per head suggests that the earlier policy of non increase in taxes was now abandoned. Although the officer is reported to have refused to obey the Caliph's order, he could not stop the proposed increase because another newly appointed officer would only be obliged to take this place and change the policy. The proposed

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123. Severus, 153.

124. Bal., 219.



increase by a meagre amount such as one carat, however, could not compensate for a substantial decline. There might have been some attempts to increase the taxes after Mu'āwiya's reform throughout his empire, as mentioned elsewhere, but the main taxes remained the same; viz., land-tax and poll-tax. It is not surprising to find that the Aphrodito Papyri do not mention a third tax up to the end of 'Abd-al-Malik's period<sup>125</sup> (A.H.86 = A.D. 705). When further taxes were officially levied cannot precisely be dated, but the evidence that people began to desert their lands in A.H.90 (A.D.709) is suggestive of the impact of burdensome taxation during Walīd's Caliphate. Severus reports about the fugitives during Qurra's governorship<sup>126</sup> who, according to al-Kindī, took over in that very year (A.H.90 = A.D. 709). It means that Qurra was the first governor either to himself inaugurate a policy of making an increase in taxes or to allow the local officers to give extraordinary exemptions to some favourites and overburden some others. Which of the different factors was responsible for burdensome taxes cannot be explained in the absence of complete and conclusive evidence. Even the Aphrodito Papyri do not help us in giving any hint at the probable situation. These fragmentary documents which cover a period of twenty-two years ending A.H.103 (A.D.722) only suggest that taxes which were levied during this period were of two kinds: Public and extraordinary. Public:

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125. Pap.IV, Intr. p.82.

126. Severus, 149.

taxes comprised land-tax, poll-tax, and other expenses (dapāne). The first two were by far the most important while the third one was a charge for salaries and maintenance of the collectors and other local officials. While poll-tax was paid by adult males, land-tax was to be paid by the owners of land in addition to their share of poll-tax. Those who did not possess land but pursued any other trade were not exempt from this levy. They were to pay a sort of trade-tax on their earnings which corresponded to land-tax.<sup>127</sup>

The evidence cited above simply confirms the fact that, by the end of A.H.103(A.D.722), the government had the benefit of only two traditional taxes. Other taxes were levied and utilized only locally. As regards the rate of increases made during the period of the last eighty years, the information found in the Papyri is incomplete and inconclusive. The following tables compiled from different lists will sufficiently prove the point:

Table No.9  
Rates of taxes in Egypt.

Number of holdings	Land tax	Poll tax	Amount in dinars	
			Levy in kind (artabas)	Other expenses
One holding	2½	¾	2½	
" "	2	3	3	
" "	1½	1	1½	
Two holdings	2½	0	3	
One holding	3	0	3	
Two holdings	2	1	3	2
One holding	3	1	8	5
" "	1	0	2	1/6

Cf. Pap.IV. Gen.Intr., pp. XXXVIII & XXXIX.

127. Pap.IV, Gen. Intr. XXXV.



Table No.10  
Rates of Taxes in Egypt

Area of holdings (aroura)	Amount in dinars			
	Land tax	Poll tax	Levy in kind (artaba)	Other expenses
16	4	0	4	0
4	1	0	2	0
4	1	0	2	0
8	2	3	0	0

Cf. Pap.IV. General Introduction Page XXXIX.

Table No.11  
Rates of Poll Tax in Egypt

Number of Persons	Amount in dinars
95	230
5	$7\frac{1}{6}$
7	17
15	$38\frac{1}{2}$
7	$20\frac{1}{2}$
5	13
12	$25\frac{1}{6}$
14	$108\frac{2}{3}$

Source: Pap.IV. 1420-3, 146f. Cf. AST., p.198.

It will be evident from the tables that the figures of taxes given in the Papyri are hopelessly bewildering. Fractions and odd amounts of land-tax can be interpreted to have occurred due to differences in the area of land but no such explanation is possible in the case of poll-tax which is supposed to have been levied at a uniform rate for each person. Anyhow it will be noticed that in a large

number of the records of the Papyri the rate of two dinars is the most usual rate of poll-tax while the rate of one dinar for every four aroura of land is the most common rate of land-tax.<sup>128</sup>

Another money tax which is mentioned in a number of Papyri seems to be a charge for local officers, not intended for the provincial government.<sup>129</sup> Over and above these taxes the local population was also supposed to contribute physical service in repairs and construction of public utility constructions.<sup>130</sup> Whether or not they were also paid for ~~the~~ is a question which can be argued in both ways. But it can be supposed that in this respect also they would have continued the preceding Byzantine practice of imposing five days' labour or its equivalent in terms of money. Similar is the case with taxes in kind (embole) which, sometimes, seems to have been paid for, but not in all cases.<sup>131</sup> The accounts mention the contributions of articles like oil, salt, mats, palm, ropes, poultry, butter, iron, milk, naval supplies, sewn leather, and ready-made clothes.<sup>132</sup>

Egypt was a country where the Muslim influx was not as rapid and large as in Iraq and Syria. As a result the entire revenue administration was at the mercy of local officials. It was they who were to determine the extent of inundation of the Nile, the leviable total of land tax, its distribution among the districts and villages and the

128. Pap. IV, Intr., p.172. 129. Ibid., pp.173,264.

130. Pap.IV, Gen.Intr. XXVI. 131. Ibid., Intr., pp.158,261.

132. Pap.IV, Intr. pp.126, 129, 159 &c.



per person share in that tax depending on the area and produce of land, the levy of extraordinary taxes for officials and religious and public utility services and the method of collection. As the Muslims for a long time did not penetrate deep inside smaller towns and villages, they were unaware of the functioning of these officials and thus they could easily be misguided and duped. Since centuries the sectarian jealousies of the 'Blues' and the 'Greens' had been continuing. After the Muslim conquest the 'Greens' (Copts) won the confidence of the Muslim governor and used him to take revenge from the Greek 'Blues' (The Orthodox Church). As a result the 'enemy' also did not miss any opportunity to retaliate. While the Copts were in power Theodosius went to Yazīd I at Damascus and got a patent as governor of Alexandria independent of the governor of Egypt. And as Severus would put it, he was an enemy of the Coptic Patriarch, and used his position to vex him. He exorted from him thirty-six dinars yearly as a tax for his disciples, the governor's share of the requisitions of the fleet, besides other money.<sup>133</sup> But during 'Abd-al-Malik's time, we find Athnasius as the tax commissioner and the supervisor of churches. He belonged to the Coptic Church, and led a delegation to the governor to request that the Church of Alexandria be taken over by some body because it had the possessions that were liable to heavy tax. He also suggested the name of the person who

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133. Severus, 122.

could manage the affairs of that church. The governor did accordingly.<sup>134</sup> How they took their revenge is not reported by Severus. Such sectarian intrigues continued along with normal routine and the governors were made to be convinced of the rationale behind such acts. To what extent this behaviour affected the tax payer cannot be determined.

The priests and monks were exempt from poll-tax but not land-tax. When burdensome taxation made the rural population flee away from their lands, the governor ordered that they be hunted back to their villages.<sup>135</sup> The reason behind the governors policy seems to be the care for the maintenance of agricultural economy, but not the amount of land-tax because it was the communal responsibility of the village, and primarily of the district without any consideration of individuals. The Aphrodito Papyri too confirm this fact.<sup>136</sup> Many fugitives took refuge in the churches and monasteries. As a result the monks were required to wear a ring on their hand to distinguish themselves from the fugitives.<sup>137</sup> Governor <sup>80</sup>Aṣḥabagh and his successor Usāma issued passports to the rural population<sup>138</sup> and forbade the monks to accept any newcomers, and at the same time removed the profit motive by making the monks themselves pay poll-tax.<sup>139</sup> Severus finds it as the tax imposed on the monks for the first time by 'Aṣḥabagh the pagan'.<sup>140</sup> The rate of

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134. Ibid., p.142.

136. Ibid.

138. Denn, 81; Maq.(Kh), 2, 493.

139. Denn., 79.

135. Pap. IV, Intr., 1343.

137. Severus, 151.

140. Severus, 143.



this poll-tax on monks is given by him as one dinar in general and two dinars annually for the monks in districts.<sup>141</sup>

'Umar II abolished the tax on clergy which is observed by Severus in the following words:

He was good to the people and bad to God. He ordered for abolition of tax on clergy and priests and withdrew (additional)<sup>142</sup> taxes, inhabited the cities which had been deserted, and the Christians and the churches became in peace and relief. After all this he began to act maliciously and wrote that those who wished to retain government posts should embrace Islam...He also ordered that all the non-Muslims should pay poll-tax although they were not traditionally used to it. So God did not give him much opportunity to rule the country because he was like a 'Dajjāl', antichrist.<sup>143</sup>

These observations speak for themselves. Up to this time the local officers were in control of the financial affairs of the province and they practised a selective policy of levying poll-tax. 'Umar II decreed to levy poll-tax on all. This strict policy would have induced many to embrace Islam. That is why we find the governor of Egypt complaining of the financial implications of conversions, which offended 'Umar II.<sup>144</sup>

Yazīd did not toe 'Umar II's line and reimposed the taxes which existed before 'Umar II. During Hishām's Caliphate a fresh census was made of men, livestock, lands, and trees; followed by a further increase of tax by one carat.<sup>145</sup> According to Severus people over twenty years of age were subjected to poll-tax<sup>146</sup> but this seems to be his misunderstanding because there was apparently no reason

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141. Ibid.

142. Parenthesis mine.

143. Severus, 152-53.

144. Sad., 5, 283.

145. Severus, 154; Kindi, 73.

146. Severus, 154.

to enhance the age limit which had been at puberty.

Details about the provinces west of Egypt are not recorded in detail in the early books of history but it can be understood that the regions formerly under Byzantine control would have similar administration and the Muslims retained them to the extent they did in Egypt. An interesting development that took place in Ifrīqiyya in A.H. 102 was the governor's policy of collecting poll-tax even from the converts and returning them from the city to their former villages. The converts mobbed over the governor, killed him, and elected another one which the Caliph confirmed.<sup>147</sup>

What was the machinery of administration that functioned in Egypt is explained by Ibn 'Abd-al-Ḥakam and confirmed by Aphrodito Papyri.<sup>148</sup> The report gives a general idea about administration. It runs as follows:

When 'Amr b. al-ʿĀs had gained complete control over Egypt, he established for the Copts the taxation that had prevailed under the Greeks, which was equitable (bi't-ta'dīl). If a village were prosperous and its population numerous, the taxation was increased. If its population were few in number, and it had decayed, the taxation was decreased. The knowledgeable persons and the chiefs of every village used to assemble and discuss the prosperity or decline (of the village) until, when they had determined on the quotas to be increased they returned to their districts with their quotas. There they came together with the chiefs of the villages and divided that quota according to the cultivated area of the villages. Then every village would take back its quota, and they would add to these quotas the Kharāj of every village and its cultivated

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147. Jahs., 57; Tab., 2, 1435.

148. Pap. IV, Intr., p. 174.




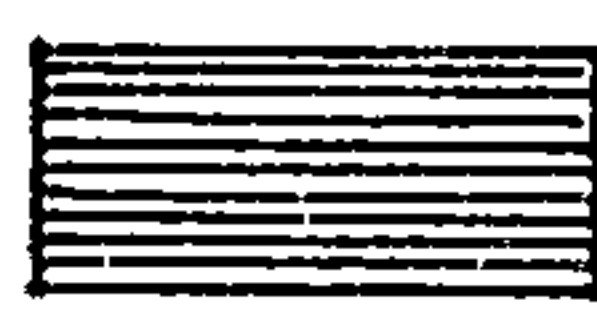

land. Thereupon they would subtract two feddans from the land for their churches, baths and ferries out of the total acreage of the land and subtract from it also the amount for the entertainment of Muslims and for the visit of the authorities. When they had finished this work, they inspected the artisans and the labourers in every village and allotted them their portion according to their capacity but usually only to domiciled or married men. Thereupon they calculated the Kharāj that remained and divided it among them (the villages) according to the amount of the land and then divided that (land) among those who were willing to cultivate it, according to their capability. If anyone were weak and complained that he was unable to cultivate his land, they divided what he was unable to cultivate according to capacity. And if anyone desired more land, he was given what the weak were unable to cultivate. If there were disputes, they divided land according to number. Their quota was made according to the carats of the dinar, 24 carats to the dinar on which basis they divided the land...They were taxed  $\frac{1}{2}$  artaba of wheat on each feddan and 2 waiba of barley, but there was no impost on clover. The waiba was then equal to six mudds.<sup>149</sup>

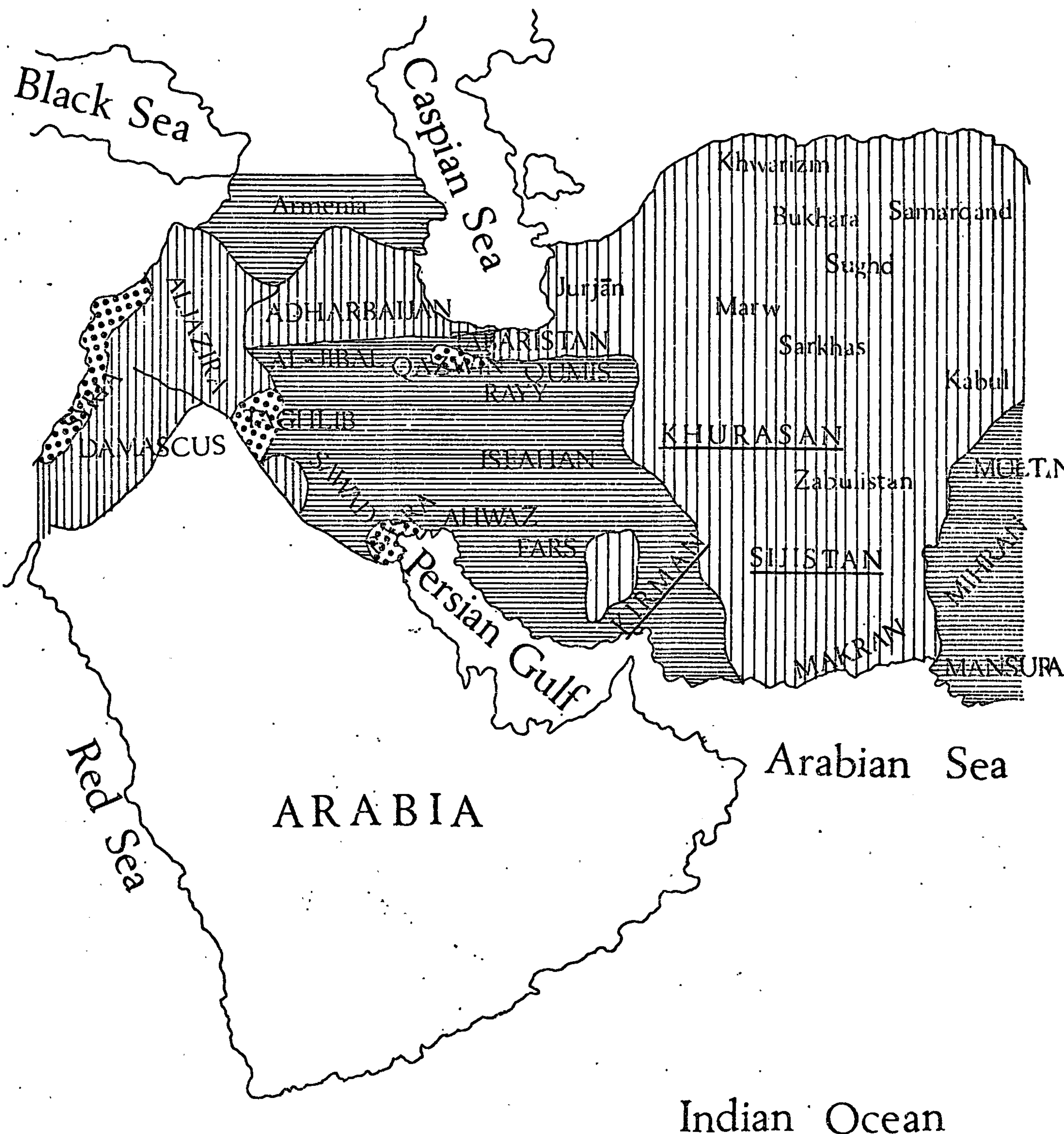
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149. I.A.H.(M), 152-53.

Fig 8.3

Map Showing Classification of Taxes in the Eastern Regions of the Muslim Empire

-  CAPITULATED AREAS GOVERNED UNDER TREATY TERMS
-  CONQUERED AREAS PAYING JIZYA & KHARĀJ
-  USHR AREAS





## PERSIA AND THE EAST

Iraq and eastern Mesopotamia (al-Jazīra) were under the Persian Empire when they were reduced by the Muslims. But the subjugation of these provinces did not decide the fate of the whole empire. The battle of Nihāwand, however, crippled the effective defence potential of the Persians; yet the complete conquest of the whole empire took many more years. In the mean time, frequent raids were made on Armenia, Sijistan, and Western India which could not be reduced before the end of the century. And because the Muslim armies were entangled on several fronts in the east, north and west at one and the same time, and their internal differences were spelling an internecine struggle, the conquered regions continued to revolt frequently against their Arab conquerors in the hope of regaining their lost position. Thus there is an apparent reason to believe that the treaties made with a number of cities in the Persian provinces should have undergone considerable changes. But historians devoted themselves to describing the circumstances of conquests and reconquests, neglecting to enumerate the revised treaties. The case of Hīra in Iraq has been reported earlier to explain how, after suppressing the frequent revolts, the originally agreed amount of 60,000 dirhams was enhanced to 400,000 dirhams.<sup>1</sup> But the operations during the years 20 to 35 A.H. were so swift and so multi-lateral that many of their details escaped the notice of historians. As a result, a reader is

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1. Supra.

confused in determining the precise chronology of different conquests and reconquests. The series of these conquests started after the fall of Nihawand which ensured a tribute of 800,000 dirhams annually.<sup>2</sup> Tabarī begins this series with the conquest of al-Jibāl.

### Al-Jibāl

The treaty of Isfahān, according to him, provided for the payment of Jizya which was to be assessed according to the capacity of the subject people.<sup>3</sup> Balādhurī describes some details about the different stages of the conquest of the region. While he has not given the details of financial arrangements with the people of Hulwān and Qirmāsīn,<sup>4</sup> Dīnawar and Isfahān are reported to have capitulated on condition of the payment of poll-tax.<sup>5</sup> Ray and Qūmis capitulated on payment of a lump sum of 500,000 dirhams and the condition of the payment of poll-tax and land-tax.<sup>6</sup> People of Barā'a, Qazwīn and Qāqizān opted for Islam rather than for paying poll-tax; and their lands were treated as 'Ushr lands.<sup>7</sup>

The total collections from Iraq and al-Jibāl jointly amounted to 21 million dinars or 210 million dirhams during 'Umar's Caliphate.<sup>8</sup> Thus if the collections from Iraq for that period are deducted from the total the revenues of

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2. Khalifa, 1, 148.

3. Tab., 1, 2641.

4. Bal., 299.

5. 304 sqq.

6. Bal., 306.

7. Bal., 318-19.

8. Sad., III, 1, 202.



al-Jibāl will come to 90 million dirhams. During Mu'āwīya's Caliphate the collections from the district of Ray alone amounted to twenty million dirhams which fell down to 12 million by Māmūn's time.<sup>9</sup> Whether the comparison of the figures about Ray or any other district will be valid in the absence of the precise delimitation of boundaries in different periods is doubtful. And this confusion remains for the entire period.

### Ahwāz

Khūzistān, with its headquarters at Ahwāz, was conquered by force. The details of the arrangements the Muslims made with the people or their Marzubān are lost in the accounts of Hurmuzān's defeat, the march of his procession to Medina and conversion to Islam. According to Khalifa b. Khayyāt, it agreed to pay 2,890,000 dirhams in A.H. 16 when Mughīra conquered it,<sup>10</sup> but the amount was increased to 14 million when Abū-Mūsā suppressed the revolt a year later.<sup>11</sup> During Mu'āwīya's time the total collection from Khūzistān (Ahwāz and suburbs) amounted to 40 million

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9. I.F., 270. How large the district was during Mu'āwīya's reign and into how many districts the region was divided is not discussed by geographers. Even the boundaries of al-Jibāl are not rigidly defined. Ibn al-Faqih, for example, observes that it included Hamadhān, Māsabazān, Saymara, Qum, Nihāwand and Qirmāsīn, the Pehlavi cities, but not Ray, Isfahān, Qūmis, Tabaristān, Jurjān, Sijistān, Qazwīn etc. (p.209). Muqaddasī although excludes them (p.386) as Pehlavi cities, includes them within al-Jibāl.

10. Khalifa, 1, 124.

11. Ibid., 126.

dirhams.<sup>12</sup> It is possible that the amount included the tribute of Rāmhurmuz amounting to 800,000 dirhams, as reported by Balādhurī and Khalīfa.<sup>13</sup>

### Ādharbāijān

In the case of Ādharbāijān, Ṭabarī reports the text of a treaty calling for the payment of a poll-tax on the adult males according to their paying capacity. Women, children, monks and the priests were, as usual, exempt.<sup>14</sup> But, according to Balādhurī, Ādharbāijān capitulated on 800,000 dirhams weighing eight ūqiya each.<sup>15</sup> According to Ibn Is'hāq, the agreed amount was 100,000.<sup>16</sup> The three different stories can be reconciled keeping in view Balādhurī's report that Ādharbāijān revolted many times and after each suppression, taxes were levied on them.<sup>17</sup> It means that initially a general agreement to pay the poll-tax was made. In the next stage an amount was fixed. At any other stage, may be the last, 800,000 dirhams per annum was imposed.

### Jurjān-Ṭabaristān

Jurjān and Ṭabaristān also revolted many times. The amount of treaty with Jurjān involved 200,000 dirhams<sup>18</sup> and with Ṭabaristān, 500,000 dirhams.<sup>19</sup> When Ṭabaristān

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12. Yaq., 2, 221.

13. Bal., 372; Khalifa, 1,132.

14. 1, 2662.

15. Bal., 321.

16. Ibid.

17. 322.

18. Bal., 330. According to another report (Ibid.) it involved 300,000 dirhams.

19. Tab., 1, 2659. Khalifa, 1, 266, also mentions clothes and 300 slaves.



was reconquered in A.H.98, it was made to pay 700,000 dirhams in addition to quantities of saffron, 400 slaves, dresses, and silver.<sup>20</sup> Mosul, Sāmighān and Shahrabādh agreed to pay poll-tax and land-tax.<sup>21</sup>

### Fārs-Kirmān

The cities in Fārs and Kirmān were also conquered generally by force. Some of the cities, however, agreed to pay the two taxes or a lump sum.<sup>22</sup> According to Khalīfa, the cities of Irmān and Dar'abjard agreed to pay 220,000 dirhams each, or according to another report, the latter agreed to pay 520,000 dirhams.<sup>23</sup> Balādhurī reports that it agreed to pay some cash.<sup>24</sup> Sābūr capitulated on 3,300,000 dirhams.<sup>25</sup> In the cities that were conquered by force, the farmers during the early period are reported to have been regularly paying a share of their produce which varied from tenths to a third.<sup>26</sup> Arrajān and Shīrāz agreed to pay poll-tax and land-tax.<sup>27</sup>

### Armenia

The Armenian expedition, according to Balādhurī,<sup>28</sup> started with the conquest of Qālīqalā. The inhabitants either left the city or agreed to pay poll-tax. After Qālīqalā, Daybul capitulated on the condition of paying the

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20. Khalifa, 1, 424.

21. Bal., 327, 329.

22. Bal., 378, 380, 383; Tab., 1, 2695-96, 2704 sqq.

23. Khalifa, 1, 164.

24. Bal., 380.

25. Khalifa, 1, 163.

26. 1st 158.

27. Bal., 380.

28. Bal., 200 et seq.

two taxes.<sup>29</sup> The same terms were settled for Nushwā, Bifirjān, Sīsjan, Tiflis, Kafarbīs, Kasāl, Khānān, Samsakhī,, Jurdamān, Khazar, etc., etc.<sup>30</sup> Some of the cities capitulated on the condition of paying slaves and/or quantities of corn. Sarīr agreed to pay every year five hundred male slaves and an equal number of female slaves in addition to 200,000 Mudds of corn. Wazīkarān was to pay 50 slaves, and 10,000 Mudd. Hamzīr was required to give 500 slaves only once and 30,000 Mudd every year. Sadd was to pay 100 slaves once and 5,000 Mudd every year, and Tabarsarānshāh 10,000 Mudd. Similar arrangements with varying quantities were made with Lakz, Sharwān, etc.

The operations in Armenia started during 'Umar's Caliphate immediately before his death and continued till the end of the Umayyad period. The native officers and princes continued to govern the regions under the agreement and were made responsible for levying and collecting the amount of tribute. The lack of direct control of the Muslims can be understood by the fact that they did not survey the land throughout the Umayyad period.<sup>31</sup> Some of the cities capitulated without war and agreed to pay annual tribute (Itāwa).<sup>32</sup> The semi-autonomous position of the province induced these princes to revolt frequently. The last of such revolts during the Umayyad period was perhaps

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29. Ibid. The rate of land-tax on vineyards in 'Uthmān's period is reported to be 100 dirham. The same amount was payable by those who owned mills.

30. Ibid.

31. Bal., 212.

32. Ibid., 205.



suppressed by Marwān in the year A.H.100 who levied 1,000 slaves and 100,000 Mudds of wheat every year.<sup>33</sup>

The ruler of Bāb who promised to assist the Muslims during war, was exempted from tax.

How much in all Armenia brought in every year is not recorded. Ibn Khurdādhbih and Qudāma give 4,000,000 dirhams as the amount of annual collections made sometime during the third century.<sup>34</sup>

### Khurāsān

Khurāsān was the only province of the Persian empire which did not risk the hazards of a war and capitulated on the condition of paying a fixed annual amount of money. When the Muslim armies reached any city the ruling chief hastened to reach an agreement. Thus the different cities agreed to pay different amounts of tributes. In the cases of Herat, Būshanj and Bādaghīs, the amount of tribute was fixed and the ruling chief was warned to divide the burden of the amount equitably among the people.<sup>35</sup> But the later developments suggest that these chiefs did not take this condition seriously. In any case they themselves became the assessors and collectors and the Muslim officers' only concern was to collect the stipulated amount from these chiefs. The following table gives the amount of annual tributes that was originally settled:<sup>36</sup>

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33. Khalifa, 2, 367.

34. Qudāma, 246; I.K., 124.

35. Bal., 396.

36. For all the figures see Bal., 394 sqq.

Table No.12.

	<u>dirhams</u>
Ṭabasayn	60,000 <sup>37</sup>
Qūhistān	600,000
Nīsāpūr	700,000 <sup>38</sup>
Nasā	300,000
Abīward	400,000
Ṭaus	600,000
Hirat etc.	1,000,000
Marw Shāhjahān	2,500,000
Ṭakhāristān	300,000
Marw Rawz	60,000
Bukhārā	1,000,000
Samarqand	700,000
Khwarizm	400,000
Total	8,500,000

Khalīfa also describes the agreement with Sarakhs at 150,000, with Bayhaq at 1,000,000 in addition to a quantity of foodgrain, and with Balkh at 400,000 dirhams.<sup>39</sup> Thus the total amount agreed in the case of Khurāsān does not exceed 10 million dirhams, a very much lighter burden as compared with other regions . that were conquered by force. Syria also enjoyed the same privilege by virtue of its capitulation without risking a war. But the difference was that in Khurāsān the ruling chiefs enjoyed a semi-autonomous position in determining, assessing and collecting the taxes. Yet these chiefs did not reconcile themselves to the new arrangement. Ṭabarī reports of three revolts in

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37. Or 75,000 (Bal., 394). 38. Or 1,000,000 (Bal., 395).

39. Khalifa, I, 173-74.



Khurāsān during 'Uthmān's Caliphate.<sup>40</sup> They revolted again during 'Alī's time. Balādhurī reports that the Marzubān of Marw called on 'Alī who appointed him the chief commissioner of taxes and wrote to all the landlords to pay him their dues in future. On this the people of Khurāsān violated the treaty. 'Alī sent Ja'da to suppress it but he could not. Unrest continued even during Mu'āwiyah's reign<sup>41</sup> and the amount of tribute also remained the same.

### Sijistān

The expeditions against Sijistān (Sīstān) continued till the conquest of Zarang, the Marzuban having agreed to pay 1,000 slaves, each having a gold cup in his hand.<sup>42</sup> But it revolted after three years and was penalized to pay two million dirhams and two thousand slaves.<sup>43</sup> The conquest of Sijistān opened the way to Kābul and confrontation with Ratbīl the most stiff-necked prince. In the first few hits Ratbīl gave in and agreed to pay 1,000,000 dirhams.<sup>44</sup> But not long after this agreement, he hit back at the Muslims who were now forced to pay him 500,000 dirhams by way of ransom.<sup>45</sup> The die-hard Ratbīl and, after him, his son, made themselves unmanageable and their land a problem-province, and frequently claimed heavy toll of Muslim lives and money. In the year A.H.80 again the Muslim army was entrapped by him and could get off only on paying a ransom of 700,000 dirhams.<sup>46</sup> When Ibn Ash'ath took refuge with

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40. Tab., 1, 2689.

41. Bal., 399.

42. Bal., 386.

43. Ibid.

44. Bal., 389.

45. Ibid.

46. Tab., 2, 1037.

him, Ḥajjāj offered him a peace-treaty for 7-9 years without having anything to pay. After the lapse of this period, however, he was required to pay farm-produce valuing about 900,000 dirhams annually.<sup>47</sup> Both the parties honoured the treaty. But 'Ratbīl's' son again backed out during Sulayman's reign and later on totally refused to pay anything. Thus the Umayyad rulers were deprived of this tribute<sup>48</sup> after Ḥajjāj although even the latter could not regularly collect it.<sup>49</sup>

Apart from Khurāsān, which had a treaty relationship, most of the other regions under the Persian empire and in the east were conquered by force and the terms and conditions governing these provinces were based on the circumstances of the conquest. In some cases a tribute was levied. In others poll-tax and land-tax were imposed. The amount of taxes was not always pre-determined. In cases where the subject people violated the treaty, the terms were revised but not always. While Iraq had been made a separate province the remaining parts of the Persian empire were divided into three administrative units: Ādharbāijān, Khurāsān and Sijistān, not much different from the pre-Islamic division.<sup>50</sup> After the conquest of Sind a new administrative unit was created.

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47. Bal., 391; Tab., 2, 1134 mentions a seven-year-truce.

48. Bal., 392.

49. Tab., 2, 1036.

50. Yaq. (1, 154) reports of (1) Khurāsān, (2) Ādharbāijān and (3) Fars, in the pre-Islamic period.



Survey of lands preceded the levy of land-tax in the regions which were conquered by force and where land-tax was to be levied. It is, therefore, natural to believe that the conquered lands in the Persian empire were surveyed like the lands in Iraq. It is reported that in Qum alone the lands were surveyed as many as four times.<sup>51</sup> Fārs was surveyed twice during 'Alī's rule.<sup>52</sup>

Historians have mentioned several conquests of the same city or region in different periods which suggests their reconquests after revolts. In A.H. 87-88 Samarqand, was reconquered and made to pay 2.2 million dirhams as against 700,000 dirhams annually.<sup>53</sup> This was perhaps over and above a fine of procuring thirty thousand slaves.<sup>54</sup> Revolt in Jurjān was suppressed in A.H.93 costing her 500,000 dirhams in addition to clothes and slaves.<sup>55</sup> Khwārizm and Tabaristān were also penalized in A.H.93 and A.H.98 respectively.<sup>56</sup> According to Balādhurī, Tabaristān had to hand over 4 million dirhams as a lump sum, 700,000 dirhams per annum, slaves and a variety of goods.<sup>57</sup> The suppression of the fourth revolt in Bukhāra bound it to a payment of 200,000 dirhams to the Caliph and 10,000 dirhams to the Amīr of Khurāsān every year perhaps in addition to the originally agreed amount.<sup>58</sup> Half of the dwellings were to be vacated for the Muslims. The inhabitants were also required to supply fodder for horses, and fuel.<sup>59</sup> The

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51. S.A.E., 10 n.

53. Bal., 410.

55. Khalifa, 1, 422.

57. Bal., 333.

59. Ibid.

52. Ibid.

54. Bal., 416.

56. Khalifa, 405, 424.

58. Narshakhi, 53.

revolt in Sughd was also suppressed in the nineties and it was now made to pay 2,200,000 dirhams annually in addition to a number of slaves.<sup>60</sup> Sporadic attempts to overthrow the yoke of the Muslim rule in Armenia and Khurāsān continued until the end of the Umayyad period, and every time the revolts were suppressed and the tribute refixed. It was perhaps this factor, or at least one of the factors, that led Umayyad rulers to think over the problem seriously. In Khurāsān, so far, the chief Rabbi collected the taxes from the Jews, the Bishop from the Christians and the Marzubān from the Magians or Zoroastrians.<sup>61</sup> And it was quite natural that they had their religious loyalties and prejudices. The conversion of their co-religionists should have been pricking their conscience. All the religious communities were reconciled to each other under the Sassanid rule and co-existed without any conflict. The situation entirely changed under Islam which emerged as a fast-spreading religion and began to enlarge its circle at the expense of the numerical strength of other communities. In all the provinces the old administrative staff was retained as workers and helpers; while the Muslims busied themselves with policy-making and overall supervision and control. In the Persian provinces of Khurāsān and Armenia the native officers were working more autonomously than elsewhere. This fact, while it partly explains the cause of unceasing and increasing turmoil in these lands, also

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60. Tab., 2, 1245.

61. Well. 478.



provides material to understand how before it, Ḥajjāj was wrongly convinced of retaining poll-tax on converts in Iraq<sup>62</sup> and adding fuel to the fire. It is possible that this policy in Iraq was adopted by him after Khurāsān and Sijistān were also consolidated under his governorship.

As already explained, the cities of Khurāsān had to pay a fixed amount of tribute; not land-tax and poll-tax. But this tribute was to be collected from the local population. What the considerations were for distributing the burden of the tribute can be understood from the report brought to the notice of 'Umar II; that the burden of taxes on non-Muslims and the converts was uniform. It means that the subjects were to share this burden through multiple levies, perhaps with different names. The levies were assessed for each person.<sup>63</sup> Another probable way of assessing these persons might be their distribution according to the preceding Persian pattern in which poll-tax was also collected from persons of 20-50 years of age.<sup>64</sup> In any case, 'Umar II freed the converts from poll-tax.<sup>65</sup> But the later developments suggest that the converts continued to be discriminated against, not only in relief from tax but also in other respects. Ṭabarī states that a delegation brought to the notice of 'Umar II that 20,000 mawālī (confederates) were taking part in Jihād without receiving any pensions and rations as were admissible to them under the rules. They also reported that an equal

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62. Supra.

64. Denn., 116.

63. Tab., 2, 1507.

65. Bal., 415.

number of converts were being made to pay their taxes as before.<sup>66</sup> The story may raise many questions but the answer to them will be found in the explanation that the officers in charge of assessing taxes did not like the fact that conversion was encouraged by withdrawing poll-tax in favour of the converts, nor did they like to have their names entered in the pension registers to feed them free and make them contented soldiers. 'Umar II wanted to improve this situation but he did not live long enough to check up the results of his instructions to abolish poll-tax on converts or to enter their names in pension/rations registers. But because he had abolished a number of levies over and above poll-tax, the impact of these liberal withdrawals should have been felt by his successors.<sup>67</sup> Ibn Sa'd has clearly mentioned that the main reason for the decline in revenues was 'Umar's withdrawal of one dinar tax on Persians, one dinar on servants (or slaves ?) and five dirham tax on farms.<sup>68</sup> He also abolished a number of other taxes and exactions that were a source of substantial income.<sup>69</sup> This brought in a sharp decline in the revenues. Had all the other taxes and levies been reintroduced - barring the poll-tax - the deficiency in income would have greatly been made up. But it seems that among all these levies, most emphasis was placed on the re-introduction of poll-tax on converts. The story about conversion and the

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66. Tab., 2, 1354.

67. His own governor of Khurāsān sought his permission to become strict in collecting revenues which he declined. Tab., 2, 1355.

68. Sad., 5, 277.

69. Supra.



levy of poll-tax in and after A.H.110, with all its ambiguities, is meaningful and supports the above view. Tabarī reports that Ashras, the governor of Khurāsān, said to his officials "Find me a man who is pious and virtuous and I shall send him to Transoxania to summon people to embrace Islam." They recommended to him Abu 'ṣ-Ṣaydā' Ṣāliḥ b. Ṭarīf, a mawlā of Banū Dabba ... Abu 'ṣ-Ṣaydā' said: "I shall go on condition that Jizya shall not be taken from him who embraces Islam, for the Kharāj of Khurāsān is only on the head of men." Ashras agreed....Then Abu 'ṣ-Ṣaydā' i' went to Samarqand, where the governor and the collector of Kharāj was al-Ḥasan b. Abu 'l-Amarrata al-Kindī. Abu 'ṣ-Ṣaydā' invited the people of Samarqand and its environs to become Muslims on condition that Jizya would be removed from them, and the people hastened to respond to his call. Whereupon Ghūrak (the native prince) wrote to Ashras that the Kharāj was "going broke," inkasara. Ashras wrote to his governor: "Verily in the Kharāj is the strength of the Muslims. I have learnt that the people of Sughd and the like have not become Muslims sincerely. They have accepted Islam only to escape Jizya. Investigate this matter and discover who is circumcised, performs the required acts of devotion, is sincere in his conversion to Islam, and can read a Sura of the Qur'ān. Relieve that man of his Kharāj." Later Ashras relieved his governor Ibn Abu 'l-Amarrata of his duty as collector of Kharāj and appointed Hānī b. Hānī as collector. Meanwhile the mawla Abu 'ṣ-Ṣaydā' succeeded in preventing the collection of Jizya from the converts, with

the result that the Dahāqīn of Bukhara came to Ashras and said: "From whom are you going to get the Kharāj when everyone has become an Arab?" Thereupon Ashras wrote to Hānī b. Hānī and his officials: "Collect the Kharāj from those whom you used to collect it and restore the Jizya on those who have become Muslims." As a result 7,000 people of Sughd seceded. Abu 's-Saydā' protested against this treatment and was imprisoned. His friends revolted under Abū-Fāṭima but were soon disposed of. Then the Arab supervisors of Kharāj insisted on collecting it in full, and they mistreated the Persians. The clothing was torn from the Dahāqīn, their girdles were hung about their necks in derision, and they took the Jizya from the converts who were weak."<sup>70</sup>

The story is suggestive of some points worthy of consideration: Ashras, the governor willingly agreed to waive the poll-tax on the converts. According to the original arrangement, Khurāsān was to pay a fixed amount of tribute but not poll-tax and land-tax. In the absence of any report about alterations in the arrangement the governor's agreement to withdraw poll-tax implies two conclusions: Firstly the assessors and collectors were distributing the burden of the tribute over each head through a per-head levy and a tax on earnings. This was the system that the officers practised in pre-Islamic Persia

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70. Tab., 2, 1507-10.



and the native officers would have retained it,<sup>71</sup> and the government recognised it de facto. Secondly, the governor, while giving his consent to Abu 'ṣ-Ṣaydā', would not have been unmindful of the fact that if the amount of per-head levy, the so-called poll-tax, was withdrawn the revenues would not substantially suffer. Even the collector of Samarqand did not fear it; that is why he allowed Abu 'ṣ-Ṣaydā' to work freely. It was Ghūrak, the native prince, who hastened to dissuade Ashras from his offer. Tabarī gives the sense of Ghūrak's message in only two words innal kharāj qad inkasara (p.2.1508). How and in what detail Ghūrak argued in his letter is not mentioned, but Ashras's reaction by advising the scrutiny of 'sincere Muslims' suggests at least one point: 'you should have no soft corner for these converts simply because they have joined our religion; they are hypocrites and have embraced Islam simply to evade their tax'. Yet Ashras did not withdraw his offer; he suggested

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71. Christensen, L'Iran, 118-124, 362. Cf. Dennet, 116. Dennett (121) has assumed that by A.H.110 there seems to have been some change in the taxation system of Khurāsān. But the difficulty is that there is not a single report to support this assumption. Moreover the terms of the revised treaties in different parts of Khurāsān (Supra) essentially retain the same system of a fixed tribute. A third point to note is Tabarī's report (2, 1689) that Manṣūr reimposed the amount of the agreed tribute which also suggests that a formal revision was never made by the government. The report (Ibid) that 'after the reorganisation Marw paid one lakh dirhams more than the amount of treaty' is suggestive of the possibility that this one lakh would be a penal impost over and above the agreed amount of treaty. The treaty was intact even during the Abbasid period when 'Abd-Allāh b. Tāhir intended to revise the policy in Nisāpur (an-Nisābūrī, Muhammad b. 'Abd-Allāh: Ta'rīkh Nisabur, abridged by al-Khalīfa an-Nisābūrī, Tehran, n.d. p.130).

the application of a criterion to test the bona fides of Ghūrak's letter and retained his offer if the conversion was sincere. Now it was the Dahāqīn's turn to dissuade Ashras. They were practically the real collectors and in a sense they struck their work and called on Ashras to paint a very gloomy picture of the state of collections: "From whom are you going to get the Kharāj when every one has become an Arab?" Whether the Dahāqīn themselves took the initiative to call on the governor or they were prompted by Ghūrak, is not clear. But Ghūrak's personality in this story is most mysterious. In the beginning he apparently demonstrates his loyalty to the Muslims and his grave concern for the finances of the government. But when the government, acting upon his advice, turned against the converts, he betrayed it and joined Khāqān with whom his son was already fighting against the Muslims.<sup>72</sup> He continued to fight against the Muslims as 'one of the slaves of Khāqān.'<sup>73</sup>

Why the native princes, like Ghūrak and the Dahāqīn, were against the abolition of 'Jizya', does not now remain a secret or a point of presumptions. This is further strengthened by the later events which suggest that the matter of the abolition of 'Jizya' did not have as significant financial implications as religious and political. In order to appreciate these events the following facts should also be noted:

At the time Abu 's-Saydā' started for Samarqand, Hasan

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72. Tab., 2, 1516.

73. Tab., 2, 1542.



al-Amarrata was entrusted with army-command and revenue. Ashras after receiving Ghūrak's letter dismissed him from revenues. But when 'Jizya' was reimposed on the converts he was relieved of army-command too and was replaced by al-Mujashshir. A few months later al-Mujashshir was also replaced by Naṣr b. Sayyār who, after about ten years of service, after these events was promoted to the governorship of Khurāsān. He can rightly be believed to be a most reliable witness to these ugly happenings and to the real causes underlying them. His analysis of the revenue situation during all this period is worth studying for the observations he made in his speech as governor. Naṣr said:

"Did not Bahrāmsīs favour the Magians, helping them and protecting them, and putting their burdens on the Muslims? Did not Ishbadād b. Jarījūr in like manner favour the Christians, and did not 'Aqība favour the Jews? Shall I not favour the Muslims, helping them and protecting them and relieving them of their burden which I shall impose on the unbelievers? Shall I accept anything except the full payment of the Kharāj according to what has been written and made known? Therefore I have appointed as special officer Manṣūr b. 'Umar b. Abū-kharqa and I have ordered him to act with justice to you. If there is a single Muslim from whom the 'Jizya' on his head has been taken, or on whom the Kharāj is a heavy burden while it is correspondingly lightened for the unbelievers, let him report the matter to Manṣūr who will transfer the burden from the Muslims to the unbelievers."<sup>74</sup>

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74. Tab., 2, 1688.

And the second week had not passed before 30,000 Muslims came to him who were paying Jizya on their heads while 80,000 unbelievers had been relieved of their Jizya. Thereupon he put the Jizya on the unbelievers and removed it from the Muslims. Then he reclassified the Kharāj and put it in order (ṣannafa 'l Kharāj hattā wada'ahū mawādī'ahū) Then he assessed the stipulated tribute (wazīfa) according to the treaty of capitulation. And 100,000 used to be taken from Marw in Umayyad days in addition to Kharāj.<sup>75</sup>

The speech and the later developments, if read in the context of the above arguments do not need any more explanation. They are self-evident and discover the truth underlying the whole story. The figures of 80,000 and 30,000 are suspicious to Wellhausen<sup>76</sup> but there seems to be no obvious reason to suspect them because of either of the two probable situations: Firstly it suggests the composition of the entire population of the whole district which wrongly suffered and which was wrongly benefited. Or, secondly, the governor announced this policy not for the city of Marw but for the whole of the province and the figure reflects the fortnight's progress. These, however, add one more point to our hypothesis that aspersions on the financial impact of 'Jizya' were mischievous because even ten years after Ashras the number of converts had not assumed those serious proportions, although Islam had completed a century in Khurāsān. It will be worthwhile to

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75. Tab., 2, 1688-89.

76. Well., 479.



reproduce a similar story about Bukhara during Asad's governorship.

"It is reported on the authority of Muḥammad b. Ja'far through Muḥammad b. Ṣāliḥ al-Laythī that a man arrived and began to preach Islam among the dhimmīs. Some people became converts. But the native prince Tughshādā resented it because he had not sincerely embraced Islam. He, therefore, wrote to the governor of Khurāsān, Asad<sup>77</sup> b. 'Abd-Allāh, that a man 'is creating unrest among the people and advising them to just announce Islam superficially in order to evade Jizya, and inciting them to oppose the government'. Asad got them arrested through his collector of revenue and handed them over to Tughshādā for punishment. Some were punished, some others were expelled or sent to Khurāsān. But they did not desert Islam."<sup>78</sup>

The facts stated above easily lead to the causes underlying the offensive decision of retaining poll-tax on converts and do not require any more discussion. This much can, however, be observed that the Muslims had not yet achieved that degree of expertise in politics, diplomacy and administration which was to be found in their rivals. And yet they had a complete hold over their lands and they held their own.<sup>79</sup>

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77. Asad preceded Naṣr.

78. Narsakhi: The History of Bukhara, tr. Richard N. Frye, Cambridge (U.S.A.) 1954, pp. 59-60.

79. For detailed study on the subject see Chapter II on Moral Foundation...

The total amount of taxes etc. collected in different districts is not available except in the case of Khurāsān. But the arrangement made with individual cities has been dealt with in the above pages. What frequent changes were made are also not to be found. In most of the cases, it seems the original arrangement was retained and a penalty for revolt was imposed as a lump sum. Like the ruler of the Persian city Bāb Fīlānshāh and Ṭabarsarānshāh were also exempted from tax because they had promised to assist the Muslims in war;<sup>80</sup> while the prince of Sharvan who also promised to side with them was paying ten thousand modi of wheat every year.<sup>81</sup>

Yā'qūbī has given the following figures for Mu'āwiya's period,<sup>82</sup> for some of the regions.

Table No.13.

Fars	70,000,000
Ahwāz and suburbs	40,000,000
Kūr Dajla	10,000,000
( Nihāwand	} 40,000,000
al-Jibāl (Dinawar & Hamadhān)	
Ray etc.	30,000,000
Hulwān	20,000,000
Mosul	45,000,000
Adharbaijān	30,000,000

The total collections from the provinces of the Persian empire are calculated at 650 million dirhams as compared

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80. Bal., 211; Khal., 2, 120 Supp;

81. Bal., 211.

82. Yaq., 2, 221.



with pre-Islamic collection of 600 million as reported by Qudāma who has also produced the average of total revenues for the first half of the third century.<sup>83</sup> As regards the individual units, the figures can only be of any value if their precise boundaries are known, otherwise it would be rash to insist on any conclusion. Qudāma, for example, has divided Persian provinces into about twenty units in the later period while Ya'qūbī, in eight for Mu'āwiya's period. As a result, Mu'āwiya's Adharbaijān earns 30 million dirhams while Qudāma's, with its districts, only 4.5 million;<sup>84</sup> Ahwāz brings 40 million but Qudāma's, with its seven districts, only 18 million;<sup>85</sup> and so on. Similar differences are to be found if the two lists are compared with Ya'qūbī's figures for 'Abbāsīd period. Ya'qūbī, however, reports that the entire amount of the revenue of Sijistan was spent on maintaining army, police, and borders within that country.<sup>86</sup> 5 It means it did not carry forward any balance for the province or for the centre.

Sind, the western region of Hind (India) was first conquered when Spain was reduced. The only financial details that Balādhurī has reported is the balance sheet of the conquest: the expedition cost 60 million dirhams and fetched 120 million by way of booty.<sup>87</sup> But the general turmoil and the political unrest followed by the return of the conqueror, Muḥammad b. Qāsim blurred the situation. The

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83. Qud., 249-52.

84. Qud., pp. 242-46 for all cities.

85. Ibid.

86. Yaq., (B), 286.

87. Bal., 427.

Umayyad dynasty survived for forty years after the conquest of Sind and the effects of the functioning of economic machinery could not be judged from across the turmoil-stricken lands of Sijistan and Khurāsān. This is, however, certain that Sind was conquered by force and agreement was reached on the payment of Kharāj (land-tax).<sup>88</sup> What amount was involved is not known, but the fact that the Muslims settled there for a time without debiting the central or the Provincial Treasury suggests that they raised sufficient funds there. Balādhurī reports that the governor of Sind sent forty million dirhams to the centre and retained an equal amount with him after distributing some funds. This suggests that the total collections must be substantial.<sup>89</sup> When a new governor took charge of the treasury, he still found a balance of 18 million dirhams.<sup>90</sup> But a report about the later period mentions that the governor sent to Māmūn seven million dirhams after deducting the local expenditure.<sup>91</sup> It suggests that in the beginning the government did not involve itself in spending for running administration.

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88. Bal., 425.

90. Ibid.

89. Bal., 429-30.

91. Ibn Tayfūr, 39.



## CHAPTER 9

## MISCELLANEOUS INCOMES

It has been pointed out above that a number of levies comprised payment of commodities and slaves.<sup>1</sup>

In the discussion on the amounts of taxes the commodities

1. The slaves were, apparently inevitable to the socio-economic institution of the age. But the Qur'an and the Sunna coming down to us enjoin a behaviour that first of all tends to replace the institution with that of a respectable household servant or personal attendant, and then gradually abolish it. One of the positive measures that the Qur'an takes in this regard is earmarking a portion of Zakāt fund for the freeing of slaves (wa fi 'r riqāb). It seems that Abū-Bakr and 'Umar were conscious of this spirit and took measures to discourage it. But later on the Muslims realised that it was too early to abolish the institution without first replacing it with an alternative that could fit in the Islamic set up. There was the need for somebody to look after their household affairs, to help them in farming and gardening and to take care of their riding animals. The ruler himself needed to have an entourage of faithful and submissive persons. The tribal Arabs were not 'tamed' to act as submissive servants. These factors probably induced them to acquire foreign slaves and elevate their status to that of a household servant. 'Uthmān's governor 'Abd-Allāh b. Sa'd, for the first time settled an agreement to receive a number of slaves from Nubia and after him it became a regular practice to haul up the largest possible 'herd of slaves'. But the generous treatment that was extended to them created political problems followed by their absolute political power in almost the whole of the Muslim world. Beginning gradually from the status of the teachers of religious disciplines and soldiers, they rose to the position of rulers - a political but not at all a religious upheaval.

or their values have not been accounted for. These commodities, apart from slaves, included foodgrain and provisions like wheat, barley, honey, oil, vinegar, clothing and utensils.<sup>2</sup> In most of the cases provisioning of the Muslims was also made a condition of an agreement. The Egyptians were required to supply for the army in Egypt, gowns, mantles, caps, trousers, and socks.<sup>3</sup> In most of the agreements entertaining the Muslims for three days or so was made a condition of the treaty. But such arrangements have invisible economic effect and their value cannot be ascertained. The commodities and dresses were collected by the government, stored in godowns, and distributed among the deserving persons.

Apart from the amount and the quantity of the tributes and taxes the Bayt-al-Māl also received some other incomes, most important of which were customs duty ('ushūr) and later on purchase/sales tax. Before Islam each tribe, or a group of tribes inhabiting a town collected these taxes on the trade goods imported by a 'foreign' tribesman for sale in their market.<sup>4</sup> These levies were deducted at ten per cent of the value of goods and perhaps a dirham per

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2. Chapter 8.

3. Ibid.

4. For example a pre-Islamic poet Jābir b. Hanni says:

وفي كل أسواق العراق اتاة      في كل ماباع امرؤ ميس درهم  
(Cheikho, 189)

And there is a payment in each of the markets of Iraq and in the case of each article that a man has sold the deducting of a dirham. The literal meaning of Mikas or Mumakisa is: he diminished or deducted from the price of selling or buying - Lane, Arabic-English Dictionary.



transaction and the collector was called ṣāhib maks or ‘āshir. But it seems that after the establishment of an Islamic state in Arabia many tribes were still imposing their pre-Islamic authority and collecting these taxes even from the Muslims who, in principle, had transcended these tribal imposts. That is why the tone of the Ḥadīths on this subject is very severe.<sup>5</sup> The aim seems to be the elimination of extra-state authority, and the subjugation of the pre-Islamic tribal authorities to the Islamic state. It is, therefore, not very surprising that the very sources that narrate the Prophet's serious views against ‘ushūr, also narrate that ‘Umar was the first to introduce ‘ushūr in Islam. As a result, they have tried to reconcile the Prophet's sayings with ‘Umar's practice. Abū-‘Ubayd has suggested that it was the pre-Islamic practice which the Prophet intended to abolish. He banned it and substituted it with Zakāt which amounted to two and a half per cent of the value of goods as against the pre-Islamic ten per cent (‘ushr, pl. ‘ushūr). Thus the receiver of the  $2\frac{1}{2}$  per cent will not be called ‘āshir (the collector of tenths) because he is actually collecting  $2\frac{1}{2}$  per cent.<sup>6</sup> As regards the tenths collected from harbīs or the twentieth collected from dhimmīs, it was based on treaty.<sup>7</sup>

The rationale behind this tax as given by Abū-Yūsuf is more convincing. He has adduced two stories to suggest the origin of the tax:

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5. Chapters 2 & 7.

6. A.U., 1638.

7. A.U., 1668. harbī, one who belongs to a nation locked in war with Muslims.

1. Abū-Mūsā al-Ash‘arī wrote to ‘Umar that the Muslim traders were being taxed at a rate of tenths in harbī lands. ‘Umar advised him to reciprocate and further suggested to him to charge five per cent from dhimmīs and  $2\frac{1}{2}$  per cent from Muslims, provided the value of the goods exceeded two hundred dirhams.<sup>8</sup>

2. The traders of Manbij who were an enemy (harbī) nation across the waters wrote to ‘Umar to allow them to enter his country for trade on payment of tenths of the value of goods. ‘Umar consulted the Companions who voted for it. Thus it was the first nation to pay ‘ushūr.<sup>9</sup>

Whatever the rationale, ‘Umar levied customs duty on the imports. In the beginning some Companions were reluctant to accept the job because of the Prophet's condemnation of the ‘āshir (the collector of the tenths)<sup>10</sup> but they were soon convinced. ‘Umar appointed his tax collectors at different centres.<sup>11</sup> They organised their office to check the incoming traders at a central point. The rate of tax was 10, 5 and  $2\frac{1}{2}$  per cent for the 'Romans' dhimmīs, and the Muslims respectively.<sup>12</sup> Nabateans, who frequented the markets in Medina, were also taxed at a rate of 10 per cent but, in order to encourage the imports of oil and wheat, the two commodities were taxed only at a rate of 5 per cent.<sup>13</sup> These taxes were collected on an article only once a year subject to a minimum value of 200 dirhams.<sup>14</sup> Manumitted

8. Kh., 78; Yah., 638-39. 9. Ibid.

10. Sarkhasī Sharḥ Siyar, 4, 282; Tab., 1, 264/2.

11. I.A.H.(M), 109. Abū-Yūsuf has given the names of Anas b. Mālīk and Ziyād b. Ḥudayr, pp.78-79.

12. A.U., 1655 sqq. Kh., 78. 13. A.U., 1659-60.

14. According to Yaḥyā, harbīs were charged at 10% if they stayed for less than 6 months. But if they stayed for a year they were required to pay 5% (Yah., 635).



slaves were exempt from paying this duty on their own articles for trade.<sup>15</sup> The place of levy was the post through which goods were bound to pass. But because there were no fixed routes of entry, a trader could cross the borders at any point and travel through the country unnoticed by the customs collector. As a result markets were also made the centre of levy.

The proceeds of customs duty are not recorded for the period. But there is no doubt that the levy continued throughout the period. 'Umar II, in order to streamline the administration of this tax, advised his officers to issue an official receipt so that a double charge was not made on the same goods during the same year.<sup>16</sup> He abolished the system of checking at the border posts or the canals and bridges, etc., and appointed city-collectors.<sup>17</sup>

When maks or the transaction-tax was introduced, is not known. But 'Umar II's condemnation of the tax and its abolition suggests that it was prevalent. There are also reports to suggest the existence of unofficial collectors which particularly led 'Umar II to abolish it along with some other taxes known as mā'ida (table) and 'fidya' (ransom), the exact nature of which is not known.<sup>18</sup> While trade-tax was collected from the traders and craftsmen in lieu of land-tax, some officers did not exempt even the prostitutes from paying a tax on their earnings. 'Umar II abolished this 'kharāj' too.<sup>19</sup> He also prohibited his governors from

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15. Kh., 79.

17. Ibid., 279.

19. A.U., 120.

16. Sad, 5, 288-89.

18. Sad, 5, 254, 290; A.U., 1628.

depositing the amount of excise duty on wine.<sup>20</sup> Ṭabarī mentions his decree aimed at abolishing the charges of minters (ujūr-ad-darrābīn) the presents made on the eve of the Persian festivals of Nawroz and Mehrjān, the 'price of the Book' (Saman suḥuf) the army charges (ujūr-al-fuyūj or al-futūḥ), the house charges, and the wedding charges (dirāhim nikāḥ). Almost the same words are reported by Abu-ʿUbayd.<sup>21</sup> The nature, the impact and the incidence of these taxes can only be guessed. It is, however, clear that they were in force before ʿUmar II, and can be presumed to have been levied some time during and after Muʿāwīya's reign. Whether or not these taxes were reintroduced after ʿUmar II cannot be definitely claimed. But because most of the decisions taken by him were reverted by his successors, so might be the case with these levies.

Over and above these levies, there were also some minor and negligible sources of income to the Bayt-al-Māl. Since ʿUmar's time the bequest of the heirless deceased was transferred to the Bayt-al-Māl.<sup>22</sup> Later on half of the blood-money of a tributary was taken over by the state, the other half being passed on to the claimant.<sup>23</sup> Another source of income was the seized properties of the officers. This practice started in ʿUmar's time<sup>24</sup> and seems to have continued throughout the period. During Umayyad reign, however, there were clear cases of corruption and many of

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20. Sad, 5, 280. 21. Tab., 2, 1366-67; A.U., 120.

22. Sad., III, 1, 61.

23. Umm, 6, 97; Agh., 13, 15. cf. A.S.T., 180.

24. Chapter 3.



the corrupt officers were caught.<sup>25</sup> The amount received by way of ransom of enemy captives had also been a source of income ever since the Prophet's time.<sup>26</sup> Abū-Bakr received the ransom of the apostates at 400 dirhams each.<sup>27</sup> 'Umar II is reported to have charged, in some cases, 100,000 dirhams for a captive and 100 mithqāl of gold for another.<sup>28</sup> Seigniorage, after the government took over the minting of coins, also became a source of income, the normal rate being 1 per cent of the value of the coin.<sup>29</sup>

Apart from these sources of income, the government always had a last resort in cases of emergency: loans from individuals. How the Prophet utilized this source, has been discussed earlier. During 'Abd-al-Malik's reign, his governor of Khurasan borrowed from the traders sufficient funds for preparing for war.<sup>30</sup> The governor of Egypt under 'Umar II borrowed 20,000 dinars to distribute as pensions.<sup>31</sup> An interesting case of attracting incomes is Walīd's requisition of money, material and technicians from the Byzantine ruler, for the reconstruction of the Prophet's mosque<sup>32</sup> in 98 A.H. According to Ibn Kathīr, Walīd demanded of the ruler the required material.<sup>33</sup> According to Ṭabarī, the ruler sent 100,000 mithqāl of gold, one hundred masons, and forty camel loads of marble.<sup>34</sup>

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25. Chapters 3 and 11 D.

27. Bal., 112.

29. Bal., 454.

31. Maq.(Kh), 1, 78.

33. Kathīr, 9, 146-47.

34. Tab., 2, 1194; Yaq., 3, 30.

26. Chapter 5, p.126.

28. Sad, 5, 258, 260-61.

30. Tab., 2, 1022.

32. Tab., 2, 1194.

Mu'āwiya and the later rulers and their governors received the presents made on the occasion of non-Muslim festivals.<sup>35</sup> But it is not certain if these gifts and presents formed a portion of the incomes to the Bayt-al-Māl. It is, however, certain from 'Umar II's decree of abolition of the tax that the governor received it.<sup>36</sup>

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35. Supra; also Tab., 2, 1366, 1635; A.U., 120; Jahs., 24.

36. Chapter 8.



CHAPTER 10  
CENTRE - PROVINCE  
RELATIONSHIP

"O Amīr-al-Muminīn! retain something in the Bayt-al-Māl for future too."

"This has been put into your mouth by Satan. God save me from his evil. It will become an ordeal for those who will come after me."<sup>1</sup> Thus responded 'Umar to the advice of one of his companions in the early days of his rule. But after a few years, he wrote to one of his governors "By my life a regular income (jizya qā'ima) which continues for us and our posterity is more desirable to me than the Fay' which is distributed and exhausted as nought."<sup>2</sup>

The early 'Umar was now changed into an administrator with vision and realism. The Muslim armies were treading the remote north, east and west. More than one hundred thousand soldiers needed regular provisions, arms and riding animals for themselves and in many cases for their families, too. Thousands of Arabs were to be settled in the conquered lands. A full-fledged administrative machinery was to be organised. Construction for the economic infra-structure and for defence was an urgent requirement for retaining the conquests. 'Umar now realized that what he refused to do earlier should be done by his governors in the provinces. As controller of (central Bayt-al-Māl he needed large amounts to finance the ever-increasing

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1. Tab., 1, 2414-15.

2. Tab., 1, 2582.

requirements of an expanding state. These amounts could not be donated by the Arab provinces. The newly-conquered lands could be expected to take their bit in financing the government requirements at the centre too. As a result, provincial Bayt-al-Māls were set up and placed under an officer separate from the governor. The functions of these provincial organisations were to cover all their expenditure within their jurisdiction and send the remaining portion to the centre. Thus the provincial Bayt-al-Māl was supposed to support the central Bayt-al-Māl but not to look upon it as a supporter unless an unusual situation arose.

The central Bayt-al-Māl was located in Medina. 'Alī transferred it to Kūfa while Mu'āwiya took it to Damascus.<sup>3</sup>

The provincial Bayt-al-Māl was located in the governor's city, with its branches at all the centres of collection. The function of the latter was only to collect levies and remit them to the provincial headquarters which utilized them according to requirements. In the early period, the centre was responsible for allocating pensions and, therefore, a regular and quick remittance of funds was very necessary. But later on many of the centre's functions were transferred to the provinces. Yet the centre was not itself self-sufficient even in respect of its local liabilities. "Send me for the Medinans their pensions as they are also the sharers of your Fay", wrote 'Umar frequently to his governors.<sup>4</sup> When Mu'āwiya had full control over the government, he asked

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3. Well., 131.

4. Yaq., 2, 142; Maq. (Kh) I, 78.



his officers in Iraq to expedite sending him funds to relieve him of his liabilities.<sup>5</sup> The same advice he sent to his officers at Basra<sup>6</sup> and Khurasan, but in the latter case only for gold and silver procured in booty.<sup>7</sup> It is doubtful if he received anything from Egypt during 'Amr's governorship because some historians have reported that he had bestowed upon him the income of Egypt and al-Maghrib.<sup>8</sup> In any case the centre was so needful of provincial funds that the pensions of the Syrians were delayed unless funds from Egypt were received.<sup>9</sup>

In spite of its claim over the provincial resources, the centre in the early days was not well off. 'Umar could not have resources enough to pay his soldiers generously.<sup>10</sup> 'Uthmān had sufficient funds in his treasury, but 'Alī had to face a financial crisis followed by Mu'āwīya's secession. Even the provinces of Fars and Kirmān which were under him refused to pay their share.<sup>11</sup> In the later period, the centre could generally keep its head above water. Walīd I and Hishām were in this respect the most fortunate rulers to have a treasury bubbling with surplus funds. While the income of the provinces was sure, the resources of the centre were just at the mercy of the provinces. Favouritism and nepotism of the rulers paid them politically but hit them financially. Mu'āwīya seems to have been deprived of the resources of Egypt and the West for as long as 'Amr was the

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5. Yaq., 2, 207.

6. Ibid.

7. Chapter 3.

8. Yaq., 2, 210-11; Kindi, 31.

9. Yaq., 2, 222.

10. Bal., 438.

11. Dh.(Ibar), 31.

governor.<sup>12</sup> Under Marwān I his son 'Abd-al-'Azīz was posted as governor of Egypt and he remained there until his death in the middle of 'Abd-al-Mālik's reign. Both the Caliphs thus deprived themselves of the privilege to claim the funds of Egypt and the western provinces. When 'Abd-al-Mālik was angry with his brother, he wrote him to remit the centre's share. 'Abd-al-'Azīz replied: "Do not disturb me. We both are the oldest men in our family and God knows who will die first."<sup>13</sup> Early in Marwān's period he sent only 7,000 dinars to the centre.<sup>14</sup> 'Abd-al-Mālik offered the governor of Khurasan to desert his rival Ibn Zubayr and take the province as his personal property for seven years.<sup>15</sup> This, however, did not materialize. The native prince of Kabul was granted a Kharāj-free period of 7-9 years.<sup>16</sup> Similar was the case in respect of Iraq and Khurasan during Yazīd II's reign when his brother Maslama was in charge of the taxes of both provinces.<sup>17</sup> While Walīd had some hard times during his early period,<sup>18</sup> he managed to increase the rates of taxes, reorganized the finances and thus, within a short time, had sufficient funds to take up mammoth construction and public welfare projects.<sup>19</sup> 'Umar II had difficulties in the first year of his reign because he withdrew from a number of 'unjust' incomes. Iraq, which had been the most faithful supporter of the central Bayt-al-Māl fell in need of support.<sup>20</sup> The general state of the

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12. Yaq., 2, 210; Kindi, 31.

13. Tab., 2, 1167; Athir, 4, 410.

14. Kindi, 55.

15. Tab., 2, 832.

16. Chapter 8.

17. Tab., 2, 1432.

18. Yaq., 3, 36.

19. See Chapter on expenditure.

20. Sad, 5, 252.



treasury was also unsatisfactory. While granting a pension to Ibn Sīrīn, the Caliph regretted that he could not restore the pensions of the deprived Basrites simply for want of funds.<sup>21</sup> But not long after he set his foot, we come across several reports which suggest a miraculous recovery in the financial position of his government. It is reported that the governor of that very Iraq found it difficult to dispose of the funds of the Bayt-al-Māl even after generous distribution among new heads.<sup>22</sup> His governor, Abū-Bakr b. Ḥazm also admitted the same situation for his province. Another reason responsible for this situation was perhaps his decision to distribute Zakāt funds (within the provinces, which were perhaps sent to the centre before him.<sup>23</sup> Moreover, there were regions where incomes fell short of their requirements, and they had become a liability for the centre. The example is the border regions of Syria (Thughūr-ash-Shām) where Kharāj-free lands were in abundance. Muslims had occupied them and paid 'Ushr on their produce. 'Ushr alone could not, perhaps, cater for the military requirements of the border belt.<sup>24</sup> Armenia had no surplus to be remitted and in the event of a military operation it became a liability of the centre.<sup>25</sup> The general increase in the pensions of the soldiers and heavy administration during Walīd II's reign, created a heavy strain on the resources of the central Bayt-al-Māl.

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21. Sad, 5, 256.

22. A.U., 621.

23. Chapter 7.

24. Qud., 255.

25. Bal., 176.

The ruler not only pressed his governors to remit him more funds,<sup>26</sup> but also began to bargain the office of governorships.<sup>27</sup> He could manage it, however, by hook or by crook, so much so that he bequeathed a Bayt-al-Māl full of 47,000,000 dinars.<sup>28</sup>

While the central Bayt-al-Māl was witnessing good and bad days alike, the provincial Bayt-al-Māls were relatively in a better position. When Zibriqān offered Abū-Bakr to grant him the Kharāj of Bahrayn for ensuring the loyalty of the people there<sup>29</sup> he might be sure that the province would give abundant surplus. The officers in Syria were the first to assure 'Umar of the free supply of decent rations to the Muslims stationed there, because as they admitted: "God had abundantly supplied wealth, resources and taxes."<sup>30</sup>

Egypt contributed large funds to the centre. Mu'āwiyah is stated to have received 600,000 dinars every year, after expending over the provincial requirements.<sup>31</sup> Ibn 'Abd-al-Ḥakam has reported it to be the richest province during Walīd's period.<sup>32</sup> The governor is reported to have complained to the Caliph of the lack of accommodation for storing wealth.<sup>33</sup>

Iraq had been a source of regular income to the centre. In 'Umar's time it was divided into two financial units: Kufa and Basra. Kufa alone donated 20 to 30 million dirhams ;

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26. Tab., 2, 1778-9.

28. Yaq., 3, 77.

30. A.U., 607.

32. I.A.H.(M), 132.

27. Athir, 5, 125.

29. Tab., 1, 1920-21.

31. I.A.H.(M), 102; 

33.  Ibid



every year.<sup>34</sup> But because most of the army that was deployed on the northern and in particular on the eastern fronts was to be financed by these two units. Their resources fell short of their requirements. As a result, the area of these units was extended by adding the paying districts of Dīnawar and Nihāwand.<sup>35</sup> The practice was that the branches collected the funds and sent them to the provinces. The provinces, after deducting the estimated local expenditure, passed on the remaining portion to the centre. For example, the collectors of different districts of Basra sent their collections to 'Alī's governor Ibn 'Abbās who passed them on to 'Alī.<sup>36</sup> Kūfa had its branches at Anbar, Madā'in, 'Ayn Tamr and Wāsīt.<sup>37</sup> Irmīyya, Hawr, Khawmī and Salmās sent their collections to Mosul. The Greek Papyri reveal the existence of several district treasuries throughout Egypt.<sup>38</sup> During Mu'āwīya's reign, Ziyād became the sole collector in charge of the whole of Iraq and Khurasan. The jurisdiction of Hajjāj was extended to farthest eastern frontiers. During the time of crisis, he intended to raise the taxes but the Caliph disapproved of it.<sup>39</sup> By Walīd's time, Iraq continued to remit an amount of 25 million dirhams every year.<sup>40</sup> Sind is reported to have paid to the centre 40 million dirhams;<sup>41</sup> but it is not certain if the same amount was regularly remitted.

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34. Yaq., 142-43.

35. Bal., 303.

36. Tab., 1, 3440.

37. Rawi, 68.

38. Pap IV. Gen. Intr., p. XIX.

39. Chapter 3.

40. Yaq., 3, 36.

41. Bal., 429-30.

In view of their relatively better position, these Bayt-al-Māls could have performed a more splendid role, had there been regular audit and rigid vigilance over the accounts. How 'Umar exercised control over these treasuries has already been discussed elsewhere. In the later period also, there are reports to suggest the auditing of the provincial treasuries, but the incidents of corruption suggest that firstly it was not a regular practice and secondly the offices of administration and revenue did not remain strictly separate. When 'Abd-Allāh b. 'Āmir, governor of Basra, called on Mu'āwiya, he requested him not to check up his accounts. Mu'āwiya agreed to it and spared him.<sup>42</sup> Yazīd I asked his governor of Khurasan, 'Abd-ar-Rahmān about the amount he had brought with him, "20 million dirham," answered the governor. Yazīd offered: "If you wish to continue your job, submit the accounts; but if you do not want to surrender the amount, resign." The governor chose the second alternative.<sup>43</sup> The period intervening Yazīd and the middle of 'Abd-al-Malik's reign was not in this respect a happy period. The eastern provinces were under Ibn Zubayr's control. In the year 66 A.H. Mukhtār slipped away with nine million dirhams of the treasury in Kufa.<sup>44</sup> 'Abd-al-'Azīz was not remitting the revenues of Egypt. Even Ibn Zubayr's governors were not behaving towards him fairly. Ḥamza, the governor of

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42. Tab., 2, 69; Kath, 8, 28.

43. Tab., 2, 189; Yaq., 2, 225.

44. Tab., 2, 634.



Basra, deserted him with the entire funds of Bayt-al-Māl.<sup>45</sup> The Kharijites were exacting the taxes of the lands under their influence. - The culprits and the defaulting taxpayers had joined this band and killed many tax-collectors.<sup>46</sup> Sulaymān's deputy governor, Yazīd misappropriated about six million dirhams but was caught by 'Umar II.<sup>47</sup> Hishām's governor, Khālīd, amassed large fortunes and misappropriated government properties.<sup>48</sup> By how much the office of revenue collection had become a source of corruption can be conceived by the report that when a person in 105 A.H. went to take charge from a revenue officer, the latter offered him 300,000 dirhams to withdraw from the job.<sup>49</sup>

In the face of the above instances of corruption and the frequent loss to the government two points are evidenced clearly. Firstly, the government never showed any signs of financial insolvency, although it experienced many a hard time. Secondly, the Muslim society looked down upon such elements whenever they were exposed. It was conscious of the concept of māl-al-Muslimīn (Muslim common weal); and if they found anything fishy, they rushed to protect 'their' māl. But unfortunately the concept, in the absence of proper discipline during Umayyad's reign, was distorted and narrowed down to provincialism. When Ibn 'Abbās intended to transfer the funds to Baṣra, the people there objected to it because they wanted to have their pensions

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45. Kath., 8, 293.

46. Tab., 2, 941.

47. Bal., 333; Tab., 2, 1213.

48. Tab., 2, 1655.

49. Tab., 2, 1470.

before sending any money to the centre.<sup>50</sup> When Ziyād advised his officer to send to the Caliph the entire quantity of the precious metals of the booty, he assembled the soldiers and put the proposition to vote.<sup>51</sup> 'Ubayd-Allāh b. Ziyād, perhaps sensing this tendency, and to win the support of the people, announced in his inaugural address that the Caliph had advised him to distribute 'their Fay' only among them and not to transfer it.<sup>52</sup> When Ziyād, the governor of Basra, intended to transfer the surplus funds to the centre he was mobbed on the ground that the funds belonged to them and should be distributed only among them.<sup>53</sup> A similar situation arose when Ḥamza b. Zubayr was trying to slip away with the provincial funds.<sup>54</sup> Governor Ibn Ziyād had enormous funds with him when Salma revolted against him. He, perhaps, with a view to winning the people's support, distributed these funds among them by calling them 'their own wealth (Fay)'.<sup>55</sup>

While the above instances suggest a consciousness of the concept of Bayt-al-Māl as the common property of the Muslims, the narrower outlook of the area, or the tribal affiliations of that society is all the more pronounced. This narrow-mindedness fed by the pre-Islamic tribal prejudices seems to have continued and by the end of the period, grown to the extent that when the people of Iraq were given

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50. Balādhurī, Ansāb al-Ashrāf (Ms. Paris) f.450A. cf. S.A.E., 122.

51. Chapter 3.

52. Ad-Dinawri, al-Akhbār at-Ṭiwāl, 247. cf. Kharbutli, 386.

53. Agh., 20, 17. cf. Kharbutli, 386.

54. Tab., 2, 752.

55. Tab., 2, 439.



their usual pensions, the Syrians objected to it in these words: "Why are you giving the wealth gained by us, to our enemies."<sup>56</sup> This objection was later on withdrawn by the Syrians, but during the same period Yazīd III officially reconfirmed this provincialism in his first announcement to reform the financial policies.<sup>57</sup>

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56. Tab., 2, 1854.

57. See p. 122 for full speech.

## CHAPTER 11

### EXPENDITURE

#### A. PENSIONS

While the expenditure of Zakāt was confined to particular heads of expenditure,<sup>1</sup> the most important items of expenditure from the general funds of the Bayt-al-Māl were pensions followed by defence and development.

Pension, in its present day limited sense, is a misnomer to the sense of ʿatā<sup>2</sup> and arzāq (singl. rizq), as used in the early works of Muslim history; but the same has been adopted to signify this sense throughout this study for want of a really appropriate word and because of its currency. The scheme of granting pensions was ultimately aimed at the distribution of wealth in the whole society and particularly to the Muslims who were supposed to volunteer themselves for the defence of the faith and the state. It also included salaries (wazāʾif singl. wazīfa) that were paid to the civil employees who were exempted from military service.

In the early days the policy was to distribute all incomes whenever they were received. The need to hoard the incomes was not realized mainly because distribution of wealth was much emphasised in the Qurʾān and by the Prophet.<sup>3</sup> The Prophet himself distributed among the Muslims whatever

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1. See Chapter on Zakāt.

2. Sometimes also called wazīfa, salary.

3. Refer to Chapters 1 and 2.



and whenever he got anything. So did Abū-Bakr too. But during this period the resources for distribution were scanty and per-head share was negligible. The situation changed after the conquest of Iraq and Syria which brought in substantial wealth to Medina. Then a permanent settlement with the people of these lands and the conquest of some more regions ensured a regular flow of income to the Bayt-al-Māl. These regular resources were further supplemented by the frequent loads of the fifth of booty that were received after each successful expedition.

What was distributed among the people is divisible into heads: pensions (aṭāyā), and rations (arzāq). According to Ṭabarī "Umar fixed the pensions for those on whom God bestowed Fay'. They were the dwellers of the cities and had moved to Kufa, Basra, Dimashq, Hims, Urdunn, and Filastīn. 'Umar said: The booty is for these urban people and for those who are with them; assist them and stay with them. He did not fix anything for others. These very people were staying in the cities. They were a party to the treaties. Poll-tax was paid to them. They were also responsible for guarding the frontiers and facing the enemy."<sup>4</sup> But as regards rations Balādhurī observes that wheat, oil, and vinegar were meant for all the Muslims including the slaves.<sup>5</sup> This is confirmed by Ibn Sa'd who reports that 'Umar gave rations to the people of the suburbs of Medina ('Awālī) while 'Uthmān added clothes too.<sup>6</sup> Thus, while pensions were, in the early

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4. Tab., I, 2414.

5. Bal., 446-47.

6. Sad, III, I, 214.

stage of distribution, fixed for those who could join and did join the army, rations were perhaps given to most of the population. The same policy, in respect of pensions was adopted by Abū-'Ubayda, the military governor in Syria, who turned down the request of the country men to grant them pensions. He adduced two causes for his refusal: firstly, the funds could not suffice even the urban population and, secondly, the countrymen did not join the congregation in the city.<sup>7</sup>

But in view of the above mentioned policy one may be led to believe that the rural population was not supposed to be entitled to any share in the Fay'. Abū-'Ubayd has adduced a deal of evidence to prove that the right of country men to Fay' was accepted and respected but 'Umar did not grant them regular pensions as he did in the case of town dwellers. Instead, he, like the Prophet, supported them whenever they fell in need.<sup>8</sup> There are also reports to suggest that during the last year of his life, he had made up his mind to include among the beneficiaries even the country men and increase the minimum

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7. A.U., 558.

8. A.U., 558-568. One of the examples of distribution in need is the generous grant of subsidies and rations to all during the famine of 21 A.H. ('ām-ar-ramāda). It is narrated (A.U., 644) that a Bedouin's daughter came to 'Umar and said that her father fought with the Prophet. 'Umar fixed for her subsistence allowance. Ibn Sa'd (III, 1, 224) narrates that during the year of famine ('ām-ar-ramāda) the entire caravan of relief provision was diverted towards the country men. When the relief operations were brought to an end after the rains 'Umar distributed provisions and camels among them and allowed them to go. (Ibid., 229).



limit to equalize most of the Muslims. He is reported to have said: "By God! if I am spared for the widows in Iraq I shall care for them so that they will not need support of any ruler after me."<sup>9</sup> On another occasion he said: "If I survive the shepherd in far away hills of Ṣan'ā will surely get his share from this wealth although he will be at his place."<sup>10</sup> And: "If I survive, I shall bring the senior and the junior to same level."<sup>11</sup> He also wished to increase all pensions to 4,000 dirhams: 1,000 for travel, 1,000 for arms, 1,000 for household, and 1,000 for riding animals.<sup>12</sup>

The above evidence suggests that it was the ultimate policy of the Caliph to extend the list of distribution to the country men and to increase the amount of pensions to equalize the Muslims. But he died before he could implement his scheme. Even if he had lived, it was doubtful if the resources of the Bayt-al-Māl could have allowed him to do so, and in fact the resources never seem to have been sufficient for this.<sup>13</sup> In any case the list in the later days was extended to cover a larger number of persons but never the whole population. It was always recognized that fixed regular pensions pre-supposed military service in the past, present or future, if the recipient was not engaged in any other service of the state, for example, the civil service.

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9. Yah., 240; Bukh. (Faḍāil 'Uthmān) 5.

10. Sad, III, 1, 216.

11. Ibid., 217; A.U., 649.

12. Ibid., 214 (or 3,000 dirhams, Ibid., 219); also Tab., 1/2414.

13. This is also partly proved by the fact that Ḥajjāj was keen to push back the converts to their villages in Iraq, (Supra).

Even the receivers of the pension themselves presupposed it as a moral obligation to discharge military service whenever they were called upon to do so. When 'Abd-al-Malik ordered the despatch of an army to Khurasan, the pensioners transferred their pensions to those who could represent them in the battle-field.<sup>14</sup> Hishām had made it compulsory for the Marwānids to participate in war. Many of them, however, sent their substitutes.<sup>15</sup> 'Umar II wrote to his governor: "order for fixed pensions for the army. Take care of the townsmen and neglect the country men because they neither join the congregation nor do they take part in wars."<sup>16</sup> Thus the pensions continued to be granted as a return for expected war service. This also included prospective or potential soldiers. The newly-born children of the pensioners were also included in the list.<sup>17</sup> Fresh converts and even non-Muslims who could be expected to assist the Muslims were also given pensions. The examples are the dihāqīn and the asāwira of Persia and the non-Muslim residents of Jarjūma (in Syria).<sup>18</sup> In this way all the Muslims, and a sizable number of non-Muslims, who were available for war services were entitled to fixed pensions.<sup>19</sup> 'Umar had exempted Meccans from this service; as a result, he did not fix their pensions.<sup>20</sup> Traders were also excluded from the list because they could not devote themselves to war.<sup>21</sup> By the end of 'Abd-al-Malik's time,

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14. Tab., 2, 1028.

15. Tab., 2, 1731.

16. A.U., 559.

17. A.U., 581-86; Kath., 7, 214; Sad, III, 1, 214.

18. Bal., 165, 166, 366, 374, 444; A.U., 304.

19. Kindi, 76; Bal., 153, 209, 279, 350-51, 359, 401, 412 &c.

20. A.U., 562.

21. Sad, 5, 254-55.



a large number of persons receiving very high payment had died, and thus the inequality in scales of pensions had largely narrowed down. A sizable number of villagers had joined the townsmen and volunteered for the military service. Thus the list of beneficiaries had expanded. Yet a complete equality in distribution and a universal distribution of wealth could never be achieved. The Prophet and Abū-Bakr distributed their incomes equally.<sup>22</sup> 'Umar simply wished it. After 'Umar the higher scale of pensions could not be curtailed perhaps for fear of resentment of the seniors. But it could also not be enhanced due to scarce resources. Even then when 'Alī is reported to have distributed any other incomes he maintained equality. It is reported that he once entered the treasury of Basra and ordered the equal distribution of the entire funds among his followers including himself and his sons.<sup>23</sup> Similarly, he is also reported to have expedited the distribution of funds whenever he received them. Abū-'Ubayd reports that he received some funds thrice a year and soon distributed them. In the meantime, he received funds from Isfahān too. He, therefore, called his followers to distribute them among themselves the next day.<sup>24</sup> It seems that such bonus was also distributed by the following rulers if they had spare funds. Mu'āwīya is reported to have distributed such an amount by announcing: "some funds remain in your Bayt-al-Māl after the distribution of pensions. They are now being given

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22. Supra, (also A.U., 670-73 for 'Alī).

23. Mas., 3, 116-17.

24. A.U., 671-73.

to you. If a surplus remains the next year too, it will be distributed in the same way, but if otherwise, do not be annoyed. It is not my property. It is God's Fay' which He sends for you."<sup>25</sup>

As the Prophet used to give a larger share to a married man than to a single man,<sup>26</sup> women were also made entitled to a share in pension since 'Umar's time, although at a lower rate than men. The Umayyad rulers had privileged the members of the ruling family to receive special pensions.<sup>27</sup> In case the funds exceeded the amount of pensions 'Umar extended the list of soldiers, including the persons of sound character, murū'a, and good company, suhba.<sup>28</sup> He also fixed pensions of those who were memorizing the Qur'ān but later on withdrew it.<sup>29</sup> Mu'āwiya appointed officers for different tribes to find out if any of the Muslims had received any guest to entertain, in which case the host was entitled to an allowance.<sup>30</sup> Walīd added in the list all the destitutes and the invalid persons.<sup>31</sup> 'Umar II granted an allowance for pilgrimage to Mecca,<sup>32</sup> and continued the policy of fixing pensions of the decrepit and the weak.<sup>33</sup> In the case of higher amounts of pensions, he advised his officers to disburse the amount after ensuring that the recipient had in his possession an Arab horse, and all the conventional weapons of war.<sup>34</sup>

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25. A.U., 620.

27. Sad, 5, 275.

29. Ibid., 641-42.

31. Supra.

33. A.U., 119.

26. Abu Daud, 3, 188.

28. A.U., 641.

30. Maq. (Kh), I, 94.

32. A.U., 120.

34. Sad, 5, 255.



The report that 'Umar introduced the scheme of distribution after Abū-Hurayra brought the revenue collections of Baḥrayn amounting to 500,000 or 1,000,000 dirhams<sup>35</sup> seems to be incomplete because this amount alone could not be sufficient to cover even a part of his ambitious scheme.<sup>36</sup> With the rates given in the early records, the total collection should have been many times more than Abū-Hurayra's. It is possible that many more funds and the receipts of Khums might already be lying with 'Umar. Balādhurī's view that 'Umar introduced the scheme when he received the taxes of Iraq and Syria in A.H. 20<sup>37</sup> may be more appealing provided the year is not insisted on.<sup>38</sup>

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35. Kh., 26.

36. 500,000 dirhams at a rate of 5,000 dirhams to each one of the Badrites could suffice only 100 persons. The number of persons will be double if the amount is doubled yet it will not solve the problem.

37. Bal., 435-36.

38. The same year has been reported by Ibn Sa'd III, 1, 213. But in principle the period after the fall of Iraq and Syria following the Battles of Qādisiyya and Jarmuk should be a convincing date because a permanent settlement with the farmers after they had returned to their lands and reconciled themselves to paying their taxes to a Muslim government could be a possible natural condition of receiving substantial amount of taxes. But the insistence on the year A.H.20 would also require the scrutiny of the report that 'Umar's general Abū-'Ubayda b. al-Jarrāḥ also fixed pensions for the Muslims (Supra). All the historians agree that Abū-'Ubayda had died of plague in A.H.18. Tabarī (1, 2411) has suggested the year A.H. 15 for pensions. Ya'qubī has suggested that rations were fixed for the Muslims in A.H.18 while pensions, in A.H.20 (Yaq 2, 139, 143), Patriarch Agapius (Maḥbūb al-Manbiḥ) has reported (Patr.Or., 8, 581) that it took the Muslims five years to restore normalcy and levy taxes. The period, if calculated from the beginning of the expedition to Iraq will suggest the year A.H.17 but if calculated after the fall of Qādisiyya will push it to the year A.H.20.

Historians have given different rates of pension which 'Umar fixed for different categories of persons. But these differences occur mainly in the case of the first two categories. The rates for the following eight categories are almost the same everywhere. The following amounts are the most commonly reported:<sup>39</sup>

Table No. 14	
Categories of persons	dirhams each
The Prophet's wives	12,000
The Prophet's uncle and grandsons	5,000
The Badrites	5,000
The Uhūdites	4,000
Migrants to Abyṣṣinia	4,000
Migrants of the pre-Meccan-conquest.	3,000
The sons of the Badrites	2,000
Converts at the conquest of Mecca	2,000
The children of all Emigrants and Helpers	2,000
Muslims in Syria and Iraq	200 to 2,000 <sup>40</sup>
Those who fought at Qādisiyya	2,000 <sup>41</sup>
Those who conquered Uballa	2,000 <sup>42</sup>
Those who took oath at Ḥudaybiyya	2,000 <sup>43</sup>
Meccans (not Muhajirs)	600 to 700 <sup>44</sup>
Yemenites	700 <sup>45</sup>
Muḍar and Rabī'a	200 to 300 <sup>46</sup>
Women	200 to 500 <sup>47</sup>
All others	250
Newly born children	100
Converted Persian landlords	2,000 <sup>48</sup>
Unclaimed children	100

39. Sad, III, 1, 213-sqq; (Also Kh., 25-26 with some minor changes. Similarly Bal., 435 sqq; Tab., 1, 2412 sqq).

40. Or 1,500 dirhams. Sad., III, 1, 215. But the one above is most frequently reported. See for example Tab., op.cit., also 1, 2307.

41. Tab., 1, 2385.

42. I.A.M.(M), 145.

43. Yaq., 2, 139.

44. Ibid.

45. Ibid.

46. Tab., 1, 2413.

47. Who were these 'all others' is vague. It is possible that they included those who had not taken part in any war by that time but could be mobilized. Thus they may be those countrymen or nomads who lived near the cities and frequented the social and religious gatherings.

48. Sad., 5, 65; Yah., 185-6.



Apart from these fixed scales of pensions, special scales were given in special cases. The consideration was high office, courage and bravery, generosity, conquests or loyalty to the Prophet.<sup>49</sup>

Over and above these pensions each Muslim including slaves was allowed a mudī of wheat, two qists of vinegar and two of oil.<sup>50</sup> In Syria the per-head quantity was perhaps larger.<sup>51</sup>

When 'Uthmān became Caliph he increased the pensions by 100 dirhams each.<sup>52</sup> Whether the increase was general or in the case of low pensions only is not known. He also supplemented rations with dresses.<sup>53</sup> 'Alī increased the pensions of his followers in Iraq.<sup>54</sup> Mu'āwiyā ordered for an equal increase in the pensions of Kūfans,<sup>55</sup> but reduced the scale of the pensions of honour (sharaf) from 'Umar's 2,500 dirhams to 2,000 dirhams.<sup>56</sup> Mālik has treated this cut as the deduction of Zakāt<sup>57</sup> but the prescribed rates of Zakāt on this amount would allow an annual deduction of 62½ dirhams only. If it is treated to be a deduction of Zakāt on other wealth of the recipient, the amount cannot be identical in all cases. The only plausible interpretation can be that he reduced this scale. During his time Egypt alone had 40,000 Muslims on the role of which 4,000 were

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49. A.U., 549 sqq; Kh., 27; Tab., 1, 2412; Bal., 442 et sec 1.

50. A.U., 609-10.

51. A.U., 607 sqq.

52. Tab., 1, 2800.

53. Supra.

54. Isfahani, Maqātil at-Tālibīn 55 cf. Kharbutli, 414.

55. Agh., 14, 175.

56. Kalbī, Ansāb, 836, cf. S.A.E., III.

57. cf. S.A.E., III.

on the 200-dirham list.<sup>58</sup> His governor Ziyād added many new names to the list and assigned to 500 persons 300-500 dirhams each.<sup>59</sup> It is stated that he distributed 60 million dirhams to 60 thousand persons in Baṣra.<sup>60</sup> Mu'āwiya granted to confederates (Mawālī) a pension of 15 dirhams perhaps every month. 'Abd-al-Malik increased it to 20; Sulaymān to 25; and Hishām to 30.<sup>61</sup> Ḥajjāj discontinued the pensions of the confederates but 'Umar II restored them.<sup>62</sup> In Egypt governor 'Ābis also made an increase in the scale of pensions.<sup>63</sup> 'Umar II ordered for a further increase in Egypt<sup>64</sup> as he had done in Syria;<sup>65</sup> but the increase in Egypt was later on withdrawn by Yazīd II.<sup>66</sup> 'Umar II also made large extensions in the list of recipients and placed new names on the 40-dirham list.<sup>67</sup> Higher scale of 100 dirhams was given to those whose names were drawn by ballot.<sup>68</sup> The poor and the invalid were also given pensions although at a meagre rate. He abolished the practice of giving pensions to the newly-born and fixed it from the age of weaning.<sup>69</sup> He also discontinued special pensions to the privileged.<sup>70</sup> He wrote to one of his

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58. Maq.(Kh), I, 94; I.A.H.(M), 102. (Probably a new scale introduced for the fresh recruits.

59. Tab., 2, 77 & 78. 60. Mas., 3, 282-83.

61. 'Iqd., 4, 400. cf. Kharbutli, 417.

62. Supra. 63. Kindi, 313.

64. Kindi, 68. 65. Yaq., 3, 50.

66. Kindi, 70.

67. Tab., 2, 1367; Bal., 415., reports that he fixed pensions for the converts.

68. Ibid. 69. A.U., 586.

70. Sad., 5, 278.



governors to fix pensions for all except the traders.<sup>71</sup> The minimum age limit fixed by him for full pension was fifteen years before which a boy was treated to be dependant.<sup>72</sup> In Hishām's period 15,000 more persons from Khurasan were included in the roll.<sup>73</sup> The amount of pensions that was distributed in Egypt during Hishām's period totalled about 1,700,000 dinars and it continued to be so throughout the Umayyad period.<sup>74</sup> By the end of the period some more additions were made in Iraq and Egypt.<sup>75</sup> Walīd II recommended an overall increase in the scales which was reduced by Yazīd III.<sup>76</sup>

Along with the general policy outlined above, the personal element of the ruler or the high officials also affected the policy of granting or withdrawing pensions. An army officer promised to award pension to a non-Muslim and his family for locating a loop-hole to enter the enemy-city.<sup>77</sup> Twenty-five soldiers who had displayed exemplary courage and bravery at Qādisīyya were granted five hundred dirhams each.<sup>78</sup> Yazīd I restored the pensions of Medinans as a gesture of goodwill to the visiting Medinan delegation.<sup>79</sup> 'Abd-al-'Azīz (Egypt) increased the pension of one who criticised him on his not saying 'if God wills' (inshā' Allāh).<sup>80</sup> The killer of a Kharijite was rewarded by 'Abd-al-Malik a

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71. Sad., 5, 254-55.

72. Sad., IV, 1, 105.

73. Bal., 418.

74. Maq.(Kh), I, 99.

75. Tab., 2, 1855; Kindi, 90.

76. Yaq., 3, 76.

77. Bal., 373.

78. Tab., 1, 2343.

79. Kath., 8, 215.

80. Kindi, 50.

pension of 2,000 dirhams.<sup>81</sup> Hajjāj celebrated the end of Ibn al-Ash'ath by allowing a general increase in pensions in his province.<sup>82</sup>

Similarly there are instances of pensions being withdrawn by way of punishment or displeasure. 'Umar cut one poet by 500 and raised another by the same amount.<sup>83</sup> 'Uthmān was displeased with Abū-Dharr, Ashtar and Ibn Mas'ūd; but the magnanimity with which he treated them was not to be found among the later rulers. In the case of Abū-Dharr, he did not discontinue his pension amounting to 4,000 dirhams. Instead he gave him a flock of sheep, a herd of camels, and two slaves before he was exiled from Medina.<sup>84</sup> Ashtar was exiled from Iraq, but his pension continued to be paid to him in Syria.<sup>85</sup> Ibn Mas'ūd's pension was discontinued, but 'Uthmān himself apologised on punishing him and paid the arrears.<sup>86</sup> Mu'āwiya punished a man by holding back his pension because he complained to him of the debasement in a coin which was minted under his instructions.<sup>87</sup> Ibn Ziyād punished a man for 400 dirhams of his pension because he intended to marry his own deceased wife's mother. "With this knowledge of law 300 dirhams will suffice you" observed Ibn Ziyād.<sup>88</sup> Zuhri's pension was withdrawn because his father

81. Tab., 2, 1020.

82. Kath., 9, 126.

83. Aghānī, ed. II 18, 165. cf. A.S. Tritton, "Notes on the Muslim System of Pensions," Bulletin of the School of Oriental and African Studies, 16 (1954) 170, hereinafter referred to as AST (Notes).

84. M.B.Y., 74-75.

85. Athir, 3, 109.

86. Yaq., 2, 160; Sad., III, 1, 113-14.

87. Naqsh, 6. Also Tab., 2, 194; Kath., 8, 96, for other examples.

88. Kath., 8, 284; Tab., (2,816) has reported these figures in connection with 'Abd-al-Malik's act of punishment. It may be a matter of coincidence in figures or a confusion in reporting.



was anti-government.<sup>89</sup> Some followers of Ibn Ash'ath were deprived of their pension but they again got it after they pleased Hajjāj after three years.<sup>90</sup> Another person whose brother had joined Ibn Ash'ath could not win his pleasure.<sup>91</sup> All the Asāwira and Zatt were similarly deprived because they supported Ibn Ash'ath.<sup>92</sup> 'Abd-al-'Azīz curtailed 100 dinars from a pension because the pensioner spoke incorrect Arabic.<sup>93</sup> Walīd took census of the pensioners and dropped as many as 20 thousand names from the list.<sup>94</sup> 'Abd-Allāh b. 'Ulā, Ḥasan and Ibn Sīrīn were in bad books when 'Umar II took over and restored their pensions.<sup>95</sup> Even the prince Walīd, son of Hishām, could not escape his father's wrath and lost his sharaf 'atā,<sup>96</sup> honorarium.

### Administration of Pensions

The administration of pensions and rations was organised by maintaining two registers (dīwāns). One of them contained the census records and the amount that was payable to each of the pensioners; the other contained the statement of revenues.<sup>97</sup> In Arabia both the registers were maintained by the Arabs<sup>98</sup> but in the provinces the first kind was maintained in Arabic while the second category was in

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89. Kath., 9, 346-47, was later restored, Ibid., 341.

90. Mas., 3, 358.

91. Kath., 9, 124.

92. Bal., 367.

93. Kath., 9, 57.

94. Yaq., 3, 36.

95. Sad., 5, 256.

96. Tab., 2, 1744. For some other names, see AST(Notes) op.cit., 170.

97. Jahs., 38.

98. Athir, 3, 43; Sad, III, 1, 214.

the provincial language, viz. Coptic, Greek, or Persian, and was looked after mostly by native officers.<sup>99</sup> 'Abd-al-Malik and Hajjāj switched over to Arabic in Syria and Iraq, Walīd in Egypt; and Hishām in Khurasan.<sup>100</sup> Each province depended on its own revenues. But in case the population of a province exceeded the resources of the province, revenues of some other areas yielding surplus were allocated to the deficit province. For example, the governor of Basra requested 'Umar to merge some surplus districts in the province because the 'Kharāj' of the province had fallen short of its requirements.<sup>101</sup> Thus pensions were also a factor in delimiting the area of a province.

The register contained the names of the beneficiaries with all the relevant details. Mobility of the Muslim population was not infrequent and this factor, in addition to births, deaths, and conversions, called for frequent revisions in the list.<sup>102</sup> The beneficiaries were issued pension cards and ration cards which contained the name of the beneficiary, his tribe, and the amount of entitlement.<sup>103</sup>

Pensions were paid twice a year while rations were issued every month. But in case the soldiers were mobilized they were paid in advance.<sup>104</sup> Many a time payment of pensions was delayed because of shortage of funds or because of punishment to pensioners.<sup>105</sup> Payment of cash

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99. Jahs., 38, 40, 67; Maq.(Kh), 1, 98; Kindi, 58-59; Bal., 29; 3  
Patr.Or., 8, 498; Khalifa, 1, 395.

100. Ibid., (all sources) 101. Tab., 1, 2672.

102. Maq.(Kh), 1, 94; Kindi, 71; Yaq., 3, 36.

103. Kath., 9, 57 inference. 104. Bal., 318.

105. Kath., 8, 50; 9, 41; AST(Notes), op.cit., 171.



in lieu of rations could also be practised.<sup>106</sup> Pensions were generally distributed from Kharāj fund.<sup>107</sup> Payment from Zakāt fund was treated as an indignity, and resented.<sup>108</sup>

While money taxes were collected locally but remitted to the provincial headquarters, commodities were transported to the nearest distribution point. For example, the distribution of rations in Basra was effected from the commodities that were received from Kaskar.<sup>109</sup>

Mu'āwīya introduced an interesting system of deducting penalties from the amount of pensions. He wrote to the Qādī (Judge) of Egypt to compute the nature of the wound of the wounded person and to send a note to the master of registers (ṣāhib ad-dīwān). Qādī Sulaym, for the first time, sent such a note to the master and ordered him to deduct the amount of compensation from the pension of the offender, in three equal instalments. Rations continued to be issued to him as usual.<sup>110</sup>

The way in which the pensions reached the individuals was well-organized. In the beginning the administration followed the pattern that was set by the Prophet for organizing the army. The commander-in-chief had under him the group commanders each of whom controlled a number of contingents; each contingent was represented by a flag-bearer (ṣāhib-ar-ra'ya). The flag-bearer controlled the tribal

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106. Kindi, 354.

107. A.U., 234.

108. Chapter 7, pp.199-200.

109. Yāqūt, Buldān, 4, 275; cf. S.A.E., 120.

110. Kindi, 309.

units. Each tribal unit was led by a tribal chief who approached the individual soldiers through a commandant ('arīf) who was in charge of ten persons.<sup>111</sup> Thus the order from the bottom to the apex was 'arīf who was also made responsible for distributing salaries to individuals at their houses - tribal chief - flag bearer - group commander - commander-in-chief. The system was called a'shār, the system of tens, and continued till the founding of Kufa and Basra after which it was changed. The group was now composed of seven persons. One hundred 'arīfs were appointed in an army, each 'arīf having at his disposal 100,000 dirhams. Among the Qādisiyyites, a group consisted of 43 men, 43 women, and 50 dependants, and was paid 100,000 dirhams. The pre-Qādisiyyite (ahl al-ayyām)<sup>112</sup> group consisted of 20 men each in 3,000-dirham list, 20 women and one hundred children, assigned with a total of 100,000 dirhams. The post-Qādisiyyite group had 60 men, 60 women, and 40 children. These men were entered in the 1,500-dirham list and all of these 160 persons got 100,000 dirhams. Distribution was effected thus: amīr, the commander received money; distributed it among the as'ḥāb ar-rā'yāt, flag-bearers, who were Arabs. The flag-bearer redistributed it among the different 'arīfs under him. Each 'arīf paid it to the different amīns (trustees) under him

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111. Tab., 1, 2224-25.

112. Those who fought during Prophet's life.



and the naqībs, who handed it over to the beneficiaries at their houses.<sup>113</sup> Some changes were, however, effected from time to time. For example Ziyād reconstituted the groups into fours; but the basic organisation remained undisturbed.<sup>114</sup>

## B. DEFENCE

The chapter on pensions and rations will reveal that the distribution of wealth in this account can also be characterized as the expenditure on defence. Although the Muslims, since the very beginning, were supposed to offer free military service without any hope for return or reward, yet, once involved in their various economic pursuits, it would have been difficult to dislodge them from their business and employ them as trained professional fighters. Since the very beginning they were, no doubt, entitled to booty but this arrangement prerequisites a sure victory in war which is not generally predictable. Thus the institution of pensions kept them ever available for war. During the first twenty years they hardly got a 'fair' material return for their services and sacrifices. Fixation of pensions, however, added a factor to bind them to volunteer themselves for military service without any excuse. In this way

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113. Tab., 1, 2496; Maq.(Kh), 1, 93.

114. Tab., 1, 2495, 2486.

defence became a big claimant of the resources of the Bayt-al-Māl. The expenditure in this account called for a contented army ready to advance and strike: large herds of riding animals or ships, traditional weapons, cantonments where the army was permanently stationed and kept alert near the borders, forts, castles, and also ready money to mobilize the army, to give incentive to the soldiers by way of prizes and awards, and to ransom the captured soldiers.

Since the pre-Islamic days almost all Arabs were supposed to be well-versed in the art of warfare. It was a matter of their personal honour to be well-trained fighters and to own at least some effective arms to defend themselves and to organise raids on their enemies. Riding animals facilitated quick movements but they were too expensive to be maintained by every one; let alone a horse which was quite an expensive affair.

The early Islamic state had to encounter two major problems: arms and horses. How these problems were tackled in the Prophet's time has been discussed earlier. By 'Umar's time the resources of the state had expanded and it was now possible to provide a large number of camels and horses. Provision of arms - simple and few as they were - was no problem for the Muslims during the period of affluence. But a horse was still a hard task to manage. Abū- Bakr used to spend money from the Bayt-al-Māl to buy horses, camels and arms, and distribute them among soldiers.<sup>115</sup> 'Umar had

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115. Sad., III, 1, 151.



a number of public orchards where horses and camels were pastured and supplied to the fighters every year. According to Abū-Yūsuf the number of such horses was 4,000<sup>116</sup> in addition to a very large supply of camels every year, which, according to Ibn Sa'd, numbered thirty thousand and were given along with their equipment.<sup>117</sup> That is why all the soldiers at Madā'in were mounted on horse-back.<sup>118</sup> It can be believed that later on the practice of supplying riding animals must have continued because of the vast increase in the area of operation. Ibn Sa'd reports that horses were taken to Sulaymān for distribution. But he expired before he could distribute them; so 'Umar II did so.<sup>119</sup> He also provided 500 horses and provisions for the safe and quick return of Maslama's contingents from Syrian borders.<sup>120</sup> Tabarī has reported an interesting instance of 'Umar I exchanging a weak camel with a strong camel, for a fighter.<sup>121</sup>

War on waters was started by Mu'āwiya, governor of Syria, under 'Uthmān. In the beginning he used the newly assembled Phoenician and Egyptian fleet and took Cyprus, then Rhodes and Cos and finally defeated the Emperor Constans II in a sea-battle off the coast of Lycia.<sup>122</sup> In Egypt also when the Byzantine fleet had crossed into Egypt, the Muslims, under the command of 'Amr, could manage to sail two hundred ships,<sup>123</sup> although a poor show as compared to their enemy.

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116. Kh., 27.

117. Sad., III, 1, 220; A.U., 742 reports 40,000.

118. Tab., 1, 2451.

119. Sad., 5, 293.

120. Tab., 2, 1346.

121. Tab., 1, 2703.

122. J.M.H., IV, 2, 41.

123. Kindi, 13.

But Mu'āwīya was commanding a fleet of 1,700 ships against Constans II.<sup>124</sup> When he became ruler he set up a workshop (ṣanā'a) to assemble war-ships in Jordan.<sup>125</sup> 'Abd-al-Malik set up another workshop in Tunis,<sup>126</sup> also for manufacturing instruments. The Greek Papyri allude to a workshop in Alexandria during Walīd's period.<sup>127</sup> Hishām is reported to have moved the workshop in 'Akkā (Jordan) to Ṣūr.<sup>128</sup> Hussey's report that the Muslim Navy had used 2,500 ships in its expedition against Constantinople in the year 717 A.D. (A.H. 99)<sup>129</sup> seems to be a misunderstanding but does support the assumption that the workshops would have been in a position to assemble this number of ships by the end of the century. Balādhurī reports that the Umayyad rulers were always alert with their ships for any possible confrontation with Byzantium.<sup>130</sup>

After the conquest of a number of foreign lands, Arabia had become secure from the enemy. But the lands they had conquered were exposed to the enemy's retaliation. 'Umar set up a number of cantonments (jund) in Palestine, Al-Jazīra, Moṣul and Qinnasrīn, etc., over and above the centres that existed in provincial capitals and principal cities. He was also the first to recruit for a regular army.<sup>131</sup> Governor Mu'āwīya also recruited an army to be posted on the borders of Al-Jazīra.<sup>132</sup> He was also advised by the Caliph to repair

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124. Patr.Or., 8, 480.

125. Bal., 124, 125.

126. Maq.(Kh), 1, 200.

127. Pap, IV. Gen. Int. XXXII. also Introduction to 1369.

128. Bal., 125.

129. J.M.H., IV, 1, 63.

130. Bal., 167.

131. Bal., 436.

132. Bal., 183.



the castles and forts, arrange for a guard, and illuminate the posts.<sup>133</sup> Abū-‘Ubayda also did the same during his command in Syria.<sup>134</sup> ‘Uthmān arranged for the permanent rehabilitation of Muslims in the border areas.<sup>135</sup> ‘Abd-al-Malik fortified the exposed cities and undertook repairs of the weak defence constructions.<sup>136</sup> ‘Umar II and Hishām also paid full attention to construction, renovation and repairs.<sup>137</sup> In addition to these regular jobs, rehabilitation of new cities also served the purpose of an army centre.

There are not many reports to give an exact idea about the expenditure on an army operation in the different stages of its accomplishment. But it can be assumed that this involved lots of money. The conquest of Sind involved 60 million dirhams.<sup>138</sup> The expedition against Sijistan in A.H. 80 cost two million dirhams excluding the regular salaries paid to the army.<sup>139</sup> ‘Abd-al-Malik granted the entire funds of some regions to finance a local military operation, in addition to the incomes of two districts.<sup>140</sup> Crossing an inundated valley cost Ibn ‘Āmir, governor of Makrān, four million dirhams by way of awards which he announced among his 4,000 soldiers to boost their morale.<sup>141</sup> There are several instances of the award of prizes for gallantry, courage and leadership, some of which have already been mentioned in different chapters. Corresponding to

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133. Bal., 134.

135. Bal., 134.

137. Bal., 139, 169, 179.

139. Tab., 2, 1046.

141. Athir, 3, 147.

134. Bal., 155.

136. Bal., 124, 148.

138. Bal., 427.

140. Tab., 2, 1004.

instances of the awarding of prizes there are also examples of fines that the government had to pay for its weaknesses. It has been mentioned earlier that Mu'āwiya and 'Abd-al-Malik had to pay tribute to Byzantine rulers during some hard times. 'Umar II had to pay ransom for a large number of Muslim soldiers who had been captured at Lāziqiyya.<sup>142</sup> He had also to pay ransom to get back a number of Muslim men, women and children from the Aden coast.<sup>143</sup> When the army was hard pressed in Cyprus, Yazīd I sent 'large amounts of bribe' to ensure that it returned safely.<sup>144</sup>

The above list, although not claiming to be complete, can give at least a sketchy idea about the nature and extent of the financial implications of defence - active and unceasing wars throughout the whole period, fortification of the borders from Sind to remote west, and mobilization of armed contingents in an area extending over about 4,000 miles from Multan to Gibraltar.

### C. AGRICULTURE

The encouragement given to agriculture and horticulture on the religious plane has been discussed in Chapter 2. The policy of recognising the user's right over unowned dead land had been in practice since early days of Islam. 'Umar, 'Alī and 'Umar II are reported to have followed the same policy.<sup>145</sup>

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142. Bal., 139.

143. Sad., 5, 260.

144. Bal., 158.

145. Bukh.(Muzāra'a), 15; A.U., 716.



The classification of land in the early Islamic period can be made in a variety of ways. From the point of view of ownership, there were three kinds of land:

1. State ownership
2. Collective ownership
3. Private ownership.

The lands not in possession of anybody were state-owned. In the case of conquered lands this rule was applied even to those lands whose owners were killed during war, or who had fled away. The ownership of imperial lands in Egypt, Syria, and Iraq, was also transferred to the Muslim state.

The concept of collective or communal ownership was not unknown in Arabia. It had been a cornerstone of nomadic economy. But in the Islamic period, collective or communal ownership was recognised and practised, even in agricultural society where private ownership was the prevalent rule. The lands of Khaybar were collectively owned by those Muslims who took part in war on Khaybar.<sup>146</sup> The lands which were conquered without a treaty were taken to be the collective ownership of the Muslim community.<sup>147</sup> In Khaybar the rights of ownership were alienable but it was not so in the case of the lands in Iraq and Egypt for quite some time. Later on, however, the principle was not rigidly adhered to. In the case of treaty lands, the right of the owner was respected.

From the point of view of taxes, lands could be divided into two categories: 'Ushr land and Kharāj land. The lands

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146. Chapter 4.

147. Chapter 4.

in Arabia were, since the beginning, treated as 'Ushr lands. The barren lands anywhere else which were reclaimed by the Muslims were also subjected to 'Ushr.<sup>148</sup> Similarly the lands taken over by the government and then transferred to the Muslims also paid 'Ushr, as was also the case with lands which were abandoned by the original owners and passed on to the Muslims. In Syria 'Ushr land was that unclaimed land from where the inhabitants had been expelled and which was allotted to the Muslims. This land was thus reclaimed with the permission of the government,<sup>149</sup> and lay mostly in those areas which were contiguous to Byzantine borders. The lands outside Arabia which were occupied by the subjugated people were treated as Kharāj lands. The rate of the tax was fixed by the government<sup>150</sup> and collected in cash, kind, or both; the last being the most prevalent way during this period. The policy of assessing in this way continued in Iraq unless the 'Abbāsīd ruler Maḥdī changed it to crop-sharing.<sup>151</sup> The treaty lands continued to pay according to the terms agreed on.

Another basis of classification may be from the point of view of tenancy. In Arabia lands were generally owner-cultivated. The conquest of Khaybar and the capitulation of Fadak transferred the ownership of these lands to those who did not cultivate them. Feudal land-lordism was already

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148. Bal., 84 sqq.

149. Bal., 157.

150. Kh., 16.

151. Bal., 271.



prevalent in parts of Iraq<sup>152</sup> and other Persian provinces and continued along with owner-cultivated lands. In Egypt there was a large number of domain lands which were cultivated by the local people. The terms of tenancy varied at different places. Letting out of land for a share in the crop was a controversial issue among the Prophet's Companions and was being practised by many. The tillers in Khaybar were given lands on the condition of sharing half the produce.<sup>153</sup> In the case of Najrān lands were given on the condition of two-thirds share for the state and one-third for the tiller if it was irrigated by natural means, and vice versa if otherwise.<sup>154</sup> Investment of capital and labour was to be made by the tenants - Jews in Khaybar and Muslims in Najrān.

The conquest of lands outside Arabia brought vast territories into Muslim control. While a large portion of lands was under cultivation, vast tracts of land were lying waste. They comprised dry lands, thickets, swamps, forests or water-logged lands. Most of them were deserted by the cultivators. As the mainstay of these provinces was agriculture, any effort to maintain and develop this industry could hardly be over-emphasised. The Caliphs, since the very

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152. Abū-Yūsuf reports that 'Umar, after the conquest of Iraq handed over 500,000 cultivators to their landlords. Balādhurī reports that when the Arab newcomers bought lands from the Persians ('Ajam) in Ādharbāijān the villagers became their peasants (Kh., 73; Bal., 324).

153. Bukh. (Ijārāt) 25; Mus., 10, 208-10; Kh., 29.

154. Kh., 49.

beginning, addressed themselves to the challenge and adjusted their policy to meet it. They did not disturb the existing set-up, put new lands into use and made Herculean efforts to reclaim the lands that were lying waste or that had been deserted.

While 'Umar believed in the user's right to an unclaimed barren land,<sup>155</sup> he did not neglect to see that the interdictor was utilizing the land properly. "It is not given to you to interdict it from others. Take only as much as you can reclaim; return the rest":<sup>156</sup> Thus advised 'Umar to one of the allottees. When the Muslim armies conquered Iraq, they did not disturb farmers.<sup>157</sup>

'Umar knew that it was not possible for the Muslims to utilize these lands and advised the Muslim commanders to spare the cultivators if they were detained and return lands in their possession.<sup>158</sup> Under the prevalent laws of war, the subjugated people, if spared, were treated as slaves and had no guarantee of protection of life and property.

'Umar wrote to his governors: "Fear God in treating subjugated peasants. Do not kill them unless they wage war against you."<sup>159</sup> 'Umar II also urged his governors to ensure their protection.<sup>160</sup> These cultivators even where land was conquered by force were treated as dhimmi's (the protected) whose life and property could not be harmed.

A problem arose when they began to embrace Islam and desert their lands to join the ruling Muslim community in the cities

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155. A.U., 700-701.

157. Tab., 1, 2026.

159. Yah., 132.

156. A.U., 712.

158. Bal., 370-71; Yah, 28.

160. Yah., 134.



and thus probably claim their right to pensions as were fixed for town-dwelling Muslims. It was not only the shortage of funds but also the disruption in agriculture that forced Ḥajjāj to push them back to their villages.<sup>161</sup> The same situation arose in Egypt when governor Qurra increased taxes.<sup>162</sup> As a result he also had to drive the farmers back to their lands. This compulsory return must have been effected by force but there are no records to suggest any ruthless persecution of the farmers. In any case when once the farmers were disinterested in their lands the agricultural economy was bound to suffer. But the adverse effects of this tendency were offset by the increased interest of the Muslims in farming.

Lands were granted to Muslims even by the Prophet and the succeeding Caliphs. But 'Uthmān was, in a sense, the first to grant fiefs to a large number of Muslims in Syria and Iraq. Thus the masters were changed but the land tenancy system perhaps remained the same. He also allowed alienation of lands and a number of Muslims bought them. A large number of Muslims were granted fiefs in the border areas of Syria and Al-Jazīra where they settled as farmers.<sup>163</sup> In the later period they acquired lands in Egypt as well.<sup>164</sup> While the Muslims had an incentive to cultivate their lands by paying only tithes on their produce, the new-coming non-Muslims were also sometimes encouraged to cultivate lands.

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161. Chapter 8.

162. Ibid.

163. Chapter 4, also Bal., 157, 184.

164. Supra, also Kindi, 74, 76-77.

The expelled Najrānites were not only given lands in Iraq but were also exempted from land-tax for two years.<sup>165</sup>

Over and above the growing rush for cultivation the Caliphs themselves became interested in adding to their landed properties. They thus occupied vast tracts of barren lands and developed them. Such occupation is reported to have begun with Mu'āwīya and continued throughout the Umayyad period.<sup>166</sup> The development of the lands required a net-work of canals and bridges, clearing the forests, drying and filling up of ponds and the repair of the existing irrigation system - a work which could be discharged only by a government.

In the early period, state lands were developed at government expense. 'Uthmān left them to persons who possessed the ability to improve them.<sup>167</sup> It was, perhaps, because of this element of personal ownership of the rulers and cultivators that the factors causing adverse effects on agriculture, due to burdensome taxes and desertions of land in the later period were greatly offset. There are many instances which suggest an increasing government interest in development of land. Hajjāj used to go to the farmers to personally inquire about the techniques of farming and the effects of taxation.<sup>168</sup> 'Abd-al-Malik used to receive periodical news-letters about the quantity of rainfall in

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165. Kh., 41.

166. Bal., 288, 291, 325, 356; Qud., 241 &c.

167. Ag., 509.

168. Jāhiz, al-Bayān wa't-Tab'īn, 273. Cf. Kharbutli, 341.



Iraq.<sup>169</sup> When agricultural activities increased, drought animals fell short of requirement. Ḥajjāj restricted the slaughter of cows with a view to protecting and multiplying them.<sup>170</sup> ‘Umar II wrote to one of his governors: Look into the lands in your province and distribute them on the condition of crop-sharing at 50% of the yield; and a poorer quality at one-third for the state; or even less, reducing the state share to tenths. However, if the land is so unfertile that nobody likes to cultivate it even at tenths, give it for nothing. If even then there is nobody to accept it, spend on it from the treasury of the Muslims so that no land under your control is neglected.<sup>171</sup>

While the owner or the cultivator of the land was supposed to look after the development of his field the task of providing rich arable land was taken up by the government. Most of the arable lands were already under cultivation. What was left were the cultivable wastes or barren lands. The government cleared the forests and brushwoods, filled and dried water cisterns and dug up canals for irrigation and reclamation of water-logged areas. The canals, as usual, were also used for drinking water and for many other purposes.<sup>172</sup> ‘Umar wrote to his governor, Abū-Mūsā, to get a canal dug for the people of Basra<sup>173</sup> with the primary object of supplying drinking water.<sup>174</sup> He also advised his

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169. *Ibid.*, 3, 235. cf. 341.

170. Rustam, Abd as-Salam: *al-Manṣūr*, Cairo, 1965, p.105.

171. *Yah.*, 195.

172. *Bal.*, 352-53.

173. *Jahs.*, 19.

174. *Bal.*, 352.

governor in Egypt to re-open the choked-up canal linking the Nile to the Red Sea with a view to facilitating the transport of corn to Medina.<sup>175</sup> Apart from transport facilities the irrigation system of Egypt was also improved. 'Amr developed the productiveness of land by irrigation....<sup>176</sup> and it is reported by historians that the system kept 120,000 labourers at work winter and summer in maintaining and improving the dams and canals.<sup>177</sup> Governor Sa'd, during the same period, started the opening of a canal at Anbār but the work was discontinued because of the hilly terrain. This was, however, completed by Hajjāj.<sup>178</sup> A canal was also dug in Medina and extended and improved by 'Uthmān and Walīd.<sup>179</sup> In later period a canal was dug between Tā'if and Uhud.<sup>180</sup> The canals dug during 'Uthmān's Caliphate are rarely mentioned in history, but this can be safely assumed in view of his greater interest in reclamation of land than that of his predecessors. 'Alī is reported to have once written

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175. I.A.H.(M), 163. The canal connected Babylon to the Red Sea (S.L.P.20). It is curious to note that 'Amr sought 'Umar's permission to dig out a long canal linking the Mediterranean Sea with the Red Sea across Pelusium (al-Faramā). 'Umar declined it on the ground that the 'Roman' pirates would cause problems for the travellers to Mecca. (Abu'l Fida' Geography, Mss Fol. 102, Paris, Cf. Syed Sulayman, Nadvi Arbon Ki-Jahaz Rani, Azamgarh, 1935, p.55.

176. Lane-Poole (S.L.P.20) calls it a corvee system perhaps because it was so in the Byzantine period. But Bell observes that this personal service 'was not exactly forced labour in the ordinary sense since the persons requisitioned whether as sailors or workmen received wages. It was, in fact, conscription' Pap IV General Introduction XXXI.

177. S.L.P., 20.

178. Bal., 273-74.

179. Muq. 80.

180. Bal., 26.



to his governor: "The protected people have reported of a canal which is choked-up in your jurisdiction, and the Muslims are bound to repair it. You should inspect the site along with them and get the work done. To me, improving and developing the lands is preferable to having the inhabitants desert them."<sup>181</sup>

There are a few instances of the early stage of the development activities of the government. To what extent this government interest developed in the Umayyad period may not be usefully detailed here. Balādhurī has given the name of more than a hundred well-known canals in Iraq alone which were opened by these rulers.<sup>182</sup> A study of early geographical works gives a many times larger number of such canals. In a nut-shell, Iṣṭakhrī reports the existence of 120,000 canals linking each other around Baṣra many of which were used even for transport.<sup>183</sup> The figure will become easily believable if it is assumed that it also included the small channels in the fields, linking the canals. Along with these canals, bridges, culverts and dams should naturally have been built. Balādhurī speaks of the construction of a dam as far away as the River Indus (Mehran) in the present-day province of Sind. The dam, Sakr-al-Mīd, was built to canalize the water of the river.<sup>184</sup> The repair and maintenance of the network of canals and bridges, etc.,

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181. Yaq., 2, 192.

182. Bal., 149, 155-6, 172, 184, 284, 288-9, 292-3, 327-8, 356-64 &c.

183. Ist., 80.

184. Bal., 432.

would naturally have required a large force of technical staff and labourers and involved huge funds. The details of this administration are not known. The details as to how management of land was made can be inferred from the following story:

Yazīd b. 'Abd-al-Malik wrote to 'Umar b. Hubayra that Amīr-al-Mu'minīn did not possess, along with his possessions, any piece of land in Arabia. Go to the lands and check up. If there is any piece of land that is yet to be allotted reserve it for him. 'Umar toured the places. He went from one land to another, investigated them, and surveyed the lands (to compare them with the documents) and at last came across a piece of land (which had no document). He asked the occupant of the land as to who it belonged to. "How did you acquire it" asked 'Umar. The occupant retorted a couplet saying that he had inherited it from his forefathers and would, in the same way, bequeath it to his posterity.<sup>185</sup>

The records of these lands were also centrally maintained in each province. The followers of Ibn Ash'ath put them on fire in the year A.H.83,<sup>186</sup> which paved the way for disorder and corruption. The records of Egypt were burnt by Marwān during the last years of Umayyad rule.<sup>187</sup>

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185. Bal., 359-60.

186. Supra, also Yah., 198.

187. Chapter 8.



#### D. PUBLIC WELFARE

While the development of agriculture and subsidiary projects could be in full swing only after the conquest of Iraq and Syria, other public welfare projects continued since the very first day of the inception of the Islamic state. The problem of providing houses, markets and cultivable lands arose when the Prophet, along with his Companions migrated to Medina. Migration to Medina (Hijra) in the Prophet's early Medinian period was made a matter of merit and thus the influx of population continued throughout his life. The disposal of the Jewish population in Medina provided some support in accommodating a number of refugees. New markets were also built, plots of land were allotted for housing and new lands were brought under cultivation. Fresh conquests made it necessary to rehabilitate the armies in the newly-conquered provinces, to found new cities with all the amenities that were required during those days. Ibn Sa'd treats 'Umar as the first to 'urbanize' (tamassara) or found the cities of Kufa, Basra and Mosul and others in Syria and Egypt. He rehabilitated the Arabs in these cities and earmarked different corners for the tribes.<sup>188</sup> He also 'urbanised' Bahrayn.<sup>189</sup> The building-up of a city followed the selection of a site which suited the physical requirements of the Arabs. Madā'in was the first choice to build up a

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188. Sad., III, 1, 202.

189. Ibid., 204.

city. But 'Umar, knowing that camels could not stay there because of mosquitos refused to allow the Arabs to stay there. Kūfa was the next choice<sup>190</sup> and was located near the village 'Āqūl.<sup>191</sup>

The construction was inaugurated with the building of a mosque and the governor's house<sup>192</sup> within the market area. Land was divided into different units, each for a tribe.<sup>193</sup> This was followed by the building-up of Baṣra and Mosul,<sup>194</sup> the latter also being a small town before the arrival of Muslims.<sup>195</sup> Al-Jīza,<sup>196</sup> Tawwāj,<sup>197</sup> and Sanjar<sup>198</sup> were also colonised during 'Umar's Caliphate in Egypt, Persia, and Al-Jazīra respectively. Qayrawān in al-Magbrib, Nushwā in Armenia, and Mar'ash in al-Jazīra were founded during Mu'āwiya's period.<sup>199</sup> The city of Bazra'a was rebuilt.<sup>200</sup> Ḥajjāj founded the city of Wāsiṭ in A.H. 83, and spent over it an amount of 43 million dirhams.<sup>201</sup> 'Abd-al-'Azīz founded Hulwān in Egypt.<sup>202</sup> Muhammad b. Qāsim founded a new city near Dībal in Sind and inhabited 4,000 Muslims there.<sup>203</sup> After him, his son founded al-Mansūra<sup>204</sup> and Ḥakam

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190. Khalifa, 1, 129; Tab., 1, 2482 sqq.; Bal., 274-75.

191. Patr.Or., 13, 625.

192. Bal., 275-6.

193. Ibid.

194. Bal., 256, 327, 341; Tab., 1, 237 3.

195. Ahmad Ṣūfī: al-Athar wa'l Mabānī al-Arabiyya fi'l Mawṣil, Mosul, 1940, 5.

196. I.A.H.(M), 128 sqq.

197. Dh.(Tar), 2, 39.

198. Bal., 181.

199. Bal., 192, 207, 230.

200. Ibid.

201. Bal., 288; Tab., 2, 1126.

202. Severus, 139.

203. Bal., 425.

204. Ibid., 431.



b. 'Iwāna founded al-Mahfūza.<sup>205</sup> Mūsā plotted a town in Tanja in A.H.89<sup>206</sup> and Sulaymān the city of Ramala.<sup>207</sup> Caliph Hishām built ar-Raṣāfa<sup>208</sup> while his governor Asad, a new city near Balkh.<sup>209</sup>

The foundation of a city called for the basic establishments and amenities of life, like offices, mosques, houses, roads, shops, godowns, bath-houses, means of communication, water supply, and open orchards for the cattle. Some of these facilities were to be supplied by the inhabitants themselves; and some which the government provided. There are reports suggesting the government's construction of godowns for storing food-grains. In the year A.H.20 two godowns were built at the port of Jār, off Medina.<sup>210</sup> There is also evidence for the existence of such godowns at Anbār, Armenia, and Maṭṭiyya<sup>211</sup> but these do not exhaust the universal construction of such godowns because the government itself needed them to store commodity taxes and Zakāt.

In all the new cities the governor's house was the first construction after erecting a mosque. In old cities, sometimes, a house could be requisitioned for accommodating offices. Mu'āwiya bought 'Ikrima's 'Dār-an-Nadwa' (club house) at Mecca and converted it to 'Dār-al-Amāra' (government house).<sup>212</sup>

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205. Ibid., 430.

206. Ibid., 232.

207. Ibid., 149.

208. Ibid., 185.

209. Tab., 2, 1490. Nājī (47-55) has picked out the names of as many as 28 cities that were built during the whole period.

210. Yaq., 2, 145.

211. Bal., 191, 209, 247.

212. Sad, I, 1, 45.

Apart from the founding of new cities other public welfare activities were also not ignored. The Prophet founded a market in Medina.<sup>213</sup> Shopping centres were planned in the newly-founded cities near the mosque in the heart of the town. The market in the newly-founded Kūfa was so noisy as to compel the governor Sa'd to fix a big gate in his house which invited 'Umar's wrath.<sup>214</sup> 'Uthmān's governor Ibn 'Āmir founded a market in Basra.<sup>215</sup> Hishām's governor Khālīd got a number of shops constructed and also arranged for the accommodation of the shop-keepers near their shops. His brother Asad also founded a new shopping centre in a village.<sup>216</sup> The income from the Kūfan market was utilized for the requirements of the army.<sup>217</sup> Basra had three shopping centres including the one for camels. Wāsiṭ had a big market, Moṣul had three and Hīra, one.<sup>218</sup>

The mosque, since the early days, has been a focal point of Muslim architecture. 'Umar and 'Uthmān expanded the Prophet's mosque.<sup>219</sup> 'Uthmān's governor, Ibn 'Āmir had pools constructed at 'Arafāt and linked them with a canal.<sup>220</sup> Mu'āwiya decorated the Kā'ba.<sup>221</sup> His governor Ziyād got the mosques of Kūfa and Basra renovated with huge amounts and set up seven new mosques.<sup>222</sup> Wālīd founded the mosque of Damascus by spending fabulous amounts over

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213. Supra.

214. Kath., 7, 75.

215. Sad., 5, 33.

216. Yaq.(B), 310-11; Bal., 284 f.

217. Ibid.

218. I.F., 181. also Kharbutli, 373, with many other names.

219. Supra.

220. Sad., 5, 34.

221. I.F., 20.

222. Bal., 275, 342; Kath., 9, 148.



its construction and decoration.<sup>223</sup> His governor at Medina further expanded the Prophet's mosque.<sup>224</sup> The Ka'ba was also renovated with 30,000 dinars. 'Abd-al-Ḥakam reports of his founding several mosques in Egypt.<sup>225</sup> He also advised his governor to level up the hilly tracks leading to Medina and sink wells in the city.<sup>226</sup>

The importance of hotels, inns and rest-houses cannot be over-emphasised, particularly along caravan routes. 'Umar ensured that the wayfarers enjoyed the facilities of water and shelter along the route between Mecca and Medina.<sup>227</sup> His governor Abū-'Ubayda got rest-houses built at Qinnasrin.<sup>228</sup> 'Umar II did the same in Khurasan.<sup>229</sup> According to Ibn Sa'd, 'Umar II exempted the local population from the obligation of entertaining Muslims and provided for them government guest-houses.<sup>230</sup> It is possible that these guest houses were constructed by Walīd. Hishām provided a rest-house at Ṣūr<sup>231</sup> while his governor Asad provided such facilities even in lonely deserted places.<sup>232</sup> Mu'āwiya and his governor, Ziyād spent four million dirhams to organise a mail-service.<sup>233</sup> The network of this service had become so effective by Ḥajjāj's time that his message from Kūfa could reach Sind within three days.<sup>234</sup> Greek Papyri mention the existence of post-offices

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223. 1st., 60; I.F., 107; Khalifa, 397.

224. Ibid.

226. Tab., 2, 1195.

228. Bal., 150.

230. Sad., 5, 258.

232. Tab., 2, 1637.

234. Bal., 424.

225. I.A.H.(M), 132.

227. Bal., 64-65.

229. Bal., 415; Sad., 5, 254.

231. Bal., 124.

233. Kharbutli, 419.

even in the small towns of Egypt.<sup>235</sup>

The Muslims were permitted free rations in all the cities. This required the setting up of provision stores (dār ad-dagīq) where rations were stored for monthly distribution. 'Umar was the first to fix rations and set up provision stores. It stored plain flour, baked flour (suwaīq), dates, raisins and other provisions.<sup>236</sup> These commodities could also be used by wayfarers and guests. A similar ration-depot is mentioned in Egypt.<sup>237</sup> There is also mention of a ration-depot in Kūfa during 'Alī's Caliphate.<sup>238</sup> Ziyād is reported to have set up such a depot in Basra too.<sup>239</sup>

To Walīd can be attributed the setting-up of hospitals : (Bīmāristān) and leprosy centres.<sup>240</sup> Agapius mentions one such hospital at Naṣībīn even before Islam, which a Patriarch visited for reading some books.<sup>241</sup> It means that these centres were also used as teaching hospitals. Iṣṭakhrī (d. 318 A.H.) found one of Walīd's hospitals still functioning in his time.<sup>242</sup> Walīd was also the first to provide free food to the deaf, the destitute and the decrepit.<sup>243</sup>

Besides these routine programmes of construction and

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235. Pap. IV, 1347 (intr.)

237. Bal., 216.

239. Tab., 2, 77.

241. Patr.Or., 8, 530.

243. Yaq., 3, 36.

236. Sad., III, 1, 203.

238. Tab., 1, 3135.

240. Yaq., 3, 36; Tab., 2, 1199.

242. Ist., 241.



development of public welfare centres, the Bayt-al-Māl had taken upon itself a number of other functions to give direct support to the different classes of society. It granted loans for consumption, trade and agriculture.<sup>244</sup> There are reports suggesting advance of consumption loans even to Abū-Bakr, 'Umar and Sa'd.<sup>245</sup> Hind, 'Utba's daughter (Abū-Sufyān's wife) borrowed from the Bayt-al-Māl 4,000 dirhams for trade.<sup>246</sup> One of the functions of the Bayt-al-Māl since the Prophet's time had been the relieving of the undischarged debtors. "The debts outstanding against a deceased person is our liability but the wealth bequeathed by him is for his heirs", is narrated to have been declared by the Prophet in his last days.<sup>247</sup> When 'Umar II had improved the financial position of his treasury he wrote to his governors to relieve the debtors with government funds.<sup>248</sup> The Bayt-al-Māl also functioned as a trustee.<sup>249</sup> 'Umar I compulsorily advanced as business loans an orphan's fund which was under the trust of the Bayt-al-Māl.<sup>250</sup> Hajjāj and 'Umar II are reported to have advanced agricultural loans to the farmers.<sup>251</sup> 'Umar II also managed to spend public funds in bearing the marriage expenses of the poor.<sup>252</sup> Unclaimed children were treated to be the liability of the Bayt-al-Māl.<sup>253</sup> When 'Umar withdrew the vast tracts of land from the tribe of Bajīla, he paid to their chief, Jarīr

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244. For agricultural loans, *infra*.

245. A.U., 659; Sad., III, 1,198; Athir., 3, 45, 63.

246. Athir, 3, 48.

247. Chapter 2.

248. A.U., 621; Kindi, 68-69; I.A.H.(Umar), 68.

249. Sad., 5, 61-62.

250. A.U., 1303.

251. A.U., 621, I.K., 15.

252. A.U., 621.

253. Sad., 5, 45; Bal., 446.

eighty dinars from the Bayt-al-Māl, perhaps in appreciation of his sacrifice, but not at all as compensation.<sup>254</sup> The instances of the advance of loans are not many in the later period because the line of distinction between the personal resources of the rulers and public wealth had been blurred. They frequently used - or say, misused the funds carelessly. What happened in practice was that while they did not stop the necessary and permissible expenditure, they spent or even overspent, unnecessarily. And because the beneficiaries were only too glad to draw this benefit, the practice was not generally criticised. Rather this generous behaviour was appreciated perhaps because this was also in keeping with the old traditional virtue. The more liberally a ruler distributed his wealth the more popular he became. As against it, the early standard was modest. An observer summed up the behaviour of 'Umar's governor Sa'd in the following words: "Collects for the people grains like an ant; behaves affectionately like a mother; is a Bedouin in his care for date-trees and Nabaetean in supervising taxes; distributes equally and arbitrates justly."<sup>255</sup> Another observer summed up the conduct of the governor of Egypt thus: "He gives a camel if somebody loses his own, gives a slave if somebody misses one, gives money if somebody is needful of it."<sup>256</sup> Ziyād, governor of Iraq declared in his first

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254. Yah., 109-10.

255. Bal., 278.

256. Mus., 12, 212.



speech: "I shall not hide myself if any needy person comes to me even at the dead of night."<sup>257</sup>

This was no mere tall talk. The fact is that the very concept of the Bayt-al-Māl or 'Māl-al-Muslimīn' called for this approach and attitude. It was treated to be the responsibility of the state to ensure a subsistence level to all its citizens, and to relieve them of the pressure of exigencies.

Among the functions of the Bayt-al-Māl was also the freeing of the slaves and the payment of ransom of Muslim prisoners in enemy camps.<sup>258</sup> It also shouldered the responsibility of paying the blood-money or compensation to the claimants in case the culprit could not be charged or punished.<sup>259</sup>

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257. Tab., 2, 75.

258. Sad., IV, 1, 56-57; Yah., 55.

259. Sad., III, 1, 259; Yaq., 2, 212. Tab., 2, 172; Mas. 3, 341.

## CHAPTER 12

## A NOTE ON COINAGE

Who can be credited with introducing coinage in Islam? Many of the modern scholars have tried to summarily dispose of the question by choosing any of the classical views, still, most of them are conditionally right. It is not worthwhile to deal with the question at any great length but the observation made by Lane-Poole seems to accommodate most of the different theories in this regard and may be reproduced as follows:

The Khalif 'Alī or one of his lieutenants seems to have attempted to inaugurate a purely Muslim coinage, exactly resembling that which was afterwards adopted; but only one example of this issue is known to exist, in the Paris collection, together with three other silver coins struck at Damascus and Merv between A.H.60 and 70 of a precisely familiar type. These four coins are clearly early and ephemeral attempts at the introduction of a distinctively Mohammadan coinage, and their recent discovery in no way upsets the received Muslim tradition that it was the Khalif Abd-el-Malik, who in the year of flight 76 or...77...inaugurated the regular Muslim coinage, which was thenceforward issued from all the mints of the empire so long as the dynasty endured, and which gave its general character to the whole currency of the kingdom of Islam.<sup>1</sup>

A study of important early material on the subject leads to the following further conclusions which also do not contradict Lane-Poole's opinion.

1. Arabia used to have Iraqi dirhams and Syrian dinars before Islam. Himyarite coins from Yemen, though in currency, were not popular. The coins were accepted on their weight and not on their face value.<sup>2</sup> This situation continued even under Islam.<sup>3</sup>

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1. SL-P (coins), 165.

2. Naqsh., 10.

3. Bal., 453.



2. Private money-changers were available to exchange gold or silver for the coins in currency at moderate charges. They might be using their dies to mint the coins. They could also perhaps make some improvement in the dies.

3. In the beginning 'Umar thought of issuing a new currency to be made of leather. He refrained from doing so when other Companions opposed the idea.<sup>4</sup>

4. 'Umar and 'Uthmān got the Persian dirhams minted. This was done on Persian lines. 'Umar is reported to have suggested some additions in the inscription.<sup>5</sup> This was not unusual because the money-changer could make improvement in the die. The weight of 'Umar's dirham was fourteen carats.<sup>6</sup>

5. 'Umar's deputies in Syria also followed the same practice of making some minor additions along with the original Christian inscription.<sup>7</sup>

6. To 'Alī can be attributed the introduction of a distinctively Muhammadan coinage.<sup>8</sup>

7. Mu'āwīya also continued to issue his coins with a figure and a sword struck in it.<sup>9</sup> His deputy in Iraq, Ziyād, also issued dirhams.<sup>10</sup> These coins also were of the Persian style except the addition of the Caliph's name in Arabic.

8. To Ibn Zubayr can be attributed the minting of round

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4. Bal., 456.

5. Maq.(N), 8.

6. Ibid. for weights and measures see Appendix.

7. Cheikho (B.II), 385-7; also cf. Shalabī, 285.

8. Supra.

9. Maq.(N), 8.

10. Ibid.

coins in Ḥijāz, while Muṣ'ab, his governor in Kūfa, minted the coins on Persian and Syrian patterns.<sup>11</sup>

9. Some recent finds also include the coins issued in the year A.H.74 by Bishr b. Marwān and some even in the year 72 by Kharijites. The latter were called 'atawiyya.<sup>12</sup>

10. 'Abd-al-Malik for some time followed his predecessors in the issue of coins.<sup>13</sup>

11. So far coinage had been unorganised, irregular and a personal affair. New coins were only additions to the already prevalent Byzantine or Persian coins. All were acceptable currencies. 'Abd-al-Malik for the first time made a change in the state of affairs. Coinage was almost nationalized. Old Byzantine and Persian patterns were altogether discarded. New dies were made. Government mints were set up.<sup>14</sup> A uniform standard for each currency was prescribed and minting of coins was subjected to government authorization.<sup>15</sup>

11. Kath., 9, 15; Maq.(N), 9; Bal., 454.

12. J. Walker: "Notes on Arab Sassanian Coins", Numismatic Chronicle, 14 (1934), pp. 293, 297.

13. Sad., 5, 170. While different dates are suggested by authorities the earliest available dinar minted under 'Abd-al-Malik's reform dates the year 77. G.C. Miles: "Some early Arab Dinars" American Numismatic Society Museum Notes, 1948, pp.94-96.

14. With the help of recent finds some definite information is now available about some of the places where mints were set up. They include Dara'b Jārb, Sūq Ahwāz, Sūs, Jay, Manādar, Maysān, Ray, Abarqubādh.

J. Allan: "Unpublished Coins of the Caliphate" Numismatic Chronicle 19 (1919), p.195.

J. Walker: "Notes on Arab Sassanian Coins", op.cit., Ibid.  
G.C. Miles: "Abarqubādh, A new Umayyad Mint" American Numismatic Society Museum Notes, 4 (1950), 115-20.

15. Bal., 454; Maq.(N), 15; Naqsh., 11; Tab., 2, 939; ad-Damīrī: Ḥayāt al-Ḥayawān, 1, 76. Cf. Kharbutli, 424-25.



'Abd-al-Malik's performance brings us to discuss briefly the government's role as a formal and permanent authority to control coinage.

In the early Islamic period the value of a coin depended on its weight.<sup>16</sup> A mithqāl of gold containing a grain less than 22 carats represented a full standard Arab dinar but the dinar in currency generally contained 20 carats,<sup>17</sup> and was sub-divided into  $\frac{1}{2}$  and  $\frac{1}{3}$  dinar.<sup>18</sup> A dinar could be cut off into smaller pieces and used as gold - a medium of exchange par excellence. 'Alī, for example, cut off two carats of gold from a dinar in order to buy meat.<sup>19</sup> Silver was weighed in terms of ūqiya which was known to be equal to 40 dirhams in weight, and was sub-divided into nash, riṭl, nawāt and sha'īra, representing 20, 12, 5 and 1/60 dirhams respectively.<sup>20</sup> But a standard and uniform weight of dirham was not adhered to mainly because coinage was just a private business. The silver content of a dirham generally varied between 10 and 20 carats.<sup>21</sup> When 'Umar wished to mint dirhams he recommended an average weight of 14 carats for a dirham.<sup>22</sup> This was 7/10 of the weight of a dinar which was 20 carat.<sup>23</sup> While Mu'āwiya is stated to have increased the weight by one carat, his governor Ziyād was still adhering to the earlier average

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16. Bal., 452-53.

18. Naqsh, 11

20. Bal., 452-53.

22. Ag., 264.

17. Bal., 451-52.

19. Abu Daud, 2, 186.

21. Bal., 451.

23. Naqsh., 12.

weight of 14.<sup>24</sup>

Although Egypt was being governed by a strong central government at Rome and after that at Constantinople, since the last several centuries before Islam the situation in respect of coinage was not much different. Dinar (solidi) was the coin in currency as was the case in Syria and it continued to be so even after Islam. The early Muslim sources do not give sufficient details about coinage in Egypt but the finds of the Aphrodito Papyri have to some extent compensated for the lack of earlier records. These finds belong to the early seventh century, mostly covering the reign of Walīd b. 'Abd-al-Malik. The editor of the Papyri is inclined to suggest the prevalence of dinars of varying weights,<sup>25</sup> the biggest containing 24 carats with different smaller fractions, the smallest being 1/6 of a dinar.<sup>26</sup> Along with the dinar, he also finds the existence of folles which Jahshiyārī refers to as the coins of copper.<sup>27</sup> It was because of these varying weights of the coin that their value was determined by the weight of their gold content. Officers were appointed to appraise the real value of the coin at least in receiving the government revenues.<sup>28</sup> Although 'Abd-al-Malik had fixed the weight of dinar at 22 carats less a grain<sup>29</sup> and he fixed 15 carat

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24. Maq.(N), 8, 9.

25. Pap.IV, 84,85 Introduction.

26. Ibid., p.86.

27. p.464, Introduction to Pap. IV, 1544; Jahs., 34.

28. Pap. IV, Intr., 84-85. 29. Sad., 5, 70.



weight for dirham,<sup>30</sup> yet Egypt seems to be independent of this standard.

As already mentioned above the government did not exercise any control over coinage before the reign of 'Abd-al-Malik. At the most, what they did was to replace counterfeit coins with genuine ones.<sup>31</sup> But Marwān treated the cutting of a coin as fraud and made it punishable.<sup>32</sup> Before minting was formally started, Ḥajjāj, the governor of 'Irāq, collected full information about its technique and the procedure that was being followed in Persia. He then set up mints and employed technicians.<sup>33</sup> Ḥajjāj also ordered the setting up of mint-houses in all big towns<sup>34</sup> and advised traders to get new coins minted at moderate charges<sup>35</sup> of one dirham for every 100 dirhams.<sup>36</sup> Unauthorized minters were punished.<sup>37</sup> In order to further discourage the use of old coins, the government compelled the farmers to pay their taxes in the old currency. It also prohibited even the private melting of the coins and permitted hoarders and the rich to remit their old coins in the state mint.<sup>38</sup> While the minting of dirhams was organised in the 'silver

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30. Maq.(N), 10; Naqsh., 11; But Bal., 451 makes a general statement about the weights of the coins in the Islamic period, at 14 carat each for dirham and dinar. The same value is derivable from Ṭabarī, (2,939) who observes that 'Abd-al-Malik's 10 mithqāl weighed 7 pre-Islamic mithqāl although his statement that a dirham weighed 1 grain less than 12 carat does not fit in his earlier statement (*ibid.*) On the contrary there is evidence to suggest that 'Abd-al-Malik reduced the weight of the dinar. In modern weight the 4.55 gram weight per dinar was reduced to 4.25 grams. (*E.I.*, II art. Dinar).

31. Bal., 455.

32. Bal., 456.

33. Bal., 454.

34. Bal., 453; also fn. 14.

35. Bal., 454.

36. *Ibid.*

37. Bal., 455.

38. Bal., 454.

areas' minting of the dinar was started in Damascus and Egypt.<sup>39</sup> The seigniorage was equally moderate. Care was taken to ensure correctness in weight.<sup>40</sup> During Yazīd II's period, 'Umar b. Hubayra took special care to use pure silver<sup>41</sup> and made the rules of money-changing more rigid.<sup>42</sup> Hishām's period became ideal for the issue of standard currencies. His governor Khālīd was known to be a very strict officer in enforcing government standards.<sup>43</sup> His successor Yūsuf b. 'Umar was all the more rigid, so much so, that when he found a dirham less in weight by one grain (habba) he ordered for (flogging) one hundred (lashes) each to the responsible persons.<sup>44</sup> He is also reported to have mutilated their hands and branded their skin with burning dies.<sup>45</sup>

By the time of Hishām new coins had already been widely circulated. It was, therefore, not feasible to run mints at different places so making it an expensive and cumbersome job with a big staff employed in every town. Hishām centralized the work and closed all the mint houses except that in Wāsiṭ.<sup>46</sup> The standard of dirham was so nicely maintained by 'Umar b. Hubayrā, Khālīd and Yūsuf that dirhams issued under their authority were the only valued

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39. Naqsh., 17.

40. Naqsh., 15.

41. Bal., 454.

42. Ibid.

43. Ibid.

44. al-Bayhaqī, Ibrāhīm b. Muḥammad: al-Muḥāsin wa'l masāwī, Leipzig, 1902, p.199.

45. Bal., 454-55.

46. Maq.(N), 16.



coins even after the end of the dynasty.<sup>47</sup>

The dinar-dirham ratio throughout the period under study seems to have remained almost stable. For all practical purposes a 20-carat dinar was treated equal to ten 14-carat dirhams reducing the gold-silver ratio to 1:7.<sup>48</sup> It cannot be claimed that this ratio was fixed as a result of the interplay of the factors of demand for and supply of gold and silver. Augustus in his reign fixed a gold-silver ratio of 1:12 throughout his empire<sup>49</sup> and so was the case in Egypt. Since the fourth century onwards there are some evidences to suggest that 10 grams of silver were collected for every one of gold.<sup>50</sup> In Syria, Iraq and Arabia under Islam the prevalent ratio was 1:7 and thus the dinar-dirham ratio at 1:10. The conquest of eastern lands gradually brought many silver mines into Muslim hands<sup>51</sup> but the gold-silver ratio remained unchanged for quite a long time. In the second century and early third century Muslim jurists generally treated the same 1:10 dinar-

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47. Bal., 454-55.

48. Grierson calculates mint ratio at 1:14 by treating dinar-dirham ratio at 1:20. But the works of history and literature suggest it as a very late development; perhaps long after the fall of Umayyad dynasty. He has however admitted that before 'Abd-al-Malik's reform the dinar-dirham ratio was 1:10.5 viz. the mint ratio at about 1:7. It has already been reported that 'Abd-al-Malik increased the weight of dirhams by one carat to fifteen carats while he decreased the weight of gold from 4.55 to 4.25 grams. Thus the change of the dinar-dirham ratio after the reform in favour of the dinar at 1:15 as suggested by him is not apprehensible. For Grierson refer "The Monetary reforms of 'Abd-al-Malik", Journal of the Economic and Social History of the Orient, 3 (1960) pp. 259, 263. For other details see fn. 27 Supra and E.I. II art. Dinar.

49. A.C.J., 4.

50. Ibid., 65.

51. S.A.E., 158.

dirham ratio as real and practical.<sup>52</sup> But later on the ratio fluctuated in favour of the dinar. Qudāma puts it at 1:15 in his period<sup>53</sup> while by the time of Ibn al-Faqīh it touched 1:17.<sup>54</sup>

The above discussion should not be taken to mean a universal prevalence of coins in the Islamic empire. Barter was more popular in villages and small agricultural towns than it is in the twentieth century in agricultural countries in the Orient. The Hadīths banning the transactions involving interest in barter allude to its wide prevalence in the Prophet's time.<sup>55</sup> But this fact does not contradict the statements<sup>56</sup> about the developed trade and financial institutions of Mecca even before Islam. It was the development of this institution later on that had made popular the cheques and the bills-of-exchange even among the villagers which is evident from a poetic message quoted by Ibn Qutayba:

"Pay my complements to the amīr when you see him and tell him that I am indebted to one of the villagers (a'rāb) which is the worst indebtedness. I owe him 1500 (in cash) and 250 in terms of an old bill of exchange..."<sup>57</sup>

52. Passim.

53. Qud., 239.

54. I.F., 264.

55. See Chapter 2.

56. W.M. Watt, Muhammad at Mecca, Oxford, 1972, p.3; De Lacy O'Leary: Arabia before Muhammad, London, 1927, p.182.

57.

عَلَيْكَ وَرَحْمَةُ اللَّهِ الرَّحِيمِ  
مِنَ الْأَعْرَابِ قَبْعٌ مِنْ غَرِيمٍ  
وَلِصْفِ الصَّفِّ فِي صِلِكَ قَدِيمٍ  
وَصَلَتْ بِهَا سُبُوحُ بَنِي عَدِيمٍ

إِنْ أَحْبَبْتَ الْأَمِيرَ فَصَلِّ سَلَامًا  
بِمَا بَعْدَ ذَلِكَ فَلِي غَرِيمٌ  
لَهُ الْفَعْلَى وَبِصْفِ الْفِ  
دَرَاهِمٍ مَا انْتَفَعْتُ بِهَا وَكُنْتُ



### **PART III**

**CHAPTER 13            ECONOMIC INDICATORS**

**APPENDIX I            Translation of the Verses  
referred to in Chapter 1.**

**APPENDIX II            Weights and measures.**

**BIBLIOGRAPHY**

## CHAPTER 13

## ECONOMIC INDICATORS

Prices and Cost of Living

The efficacy of an economic order can be judged by a study of the key economic indicators of the society in which the order is made to work. It is with the help of these data that we come to know if wealth is justly distributed, if the taxes are equitably and justly levied, if the level of prices is kept within the reach of the common man, and if an average standard of living can be attained by a man of moderate means. This requires a study of the average level of prices, level of incomes and the standard of living of the city dwellers.

In spite of the extreme significance of these indicators it is not surprising that the complete data which are really necessary to reach a satisfactory conclusion are not available. The only alternative remains to confine ourselves to the incomplete data and try to draw conclusions.

It seems that the most important and practical criterion of having a rough idea about the cost of living can be had by the exemption limits (niṣāb) of Zakāt on different items.<sup>1</sup> The exemption was allowed perhaps with a view to providing a minimum level of subsistence to the Zakāt payers. Thus the savings amounting to less than two hundred dirhams or the produce of 5 wasqs<sup>2</sup> of grain were made exempt from Zakāt.

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1. For full discussion on exemption limits etc. see Chapter 2.

2. For weights and measures etc. see Appendix II.



And this suggests that the amount of two hundred dirhams should have been the level of average annual requirement of the payer. While the amount of money was fixed in the case of gold, silver, and articles of trade, the quantity of consumption but not its value was considered in the case of land produce. That is why the exemption limit of dates and grain is fixed at the same level of five wasqs without discrimination. In respect of animals and livestock the number and not the value of different breeds has been made the standard; the aim in view seems to be the price of an average animal. What can be inferred from these standards is the theory that the annual requirement of an average family could be met in two hundred dirhams or in five wasqs of dates or grain. The same amount will be computable in the case of an average animal. For example forty sheep or goats are exempt from Zakāt, their average value amounts to 200 dirhams. Camels numbering less than five are exempt and the minimum value of these five camels comes to about 200 dirhams. All this evidence suggests that in almost all the cases the exemption limit has been made commensurate with the average annual requirements of a man. Incidentally, this was the minimum amount which 'Umar granted by way of pensions.<sup>3</sup>

The question remains to be seen if this minimum standard was set for a comfortable living or just to provide one to keep his head above water. The following evidence will

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3. Tab., 1, 2413; Kh., 26. For full discussion refer to Chapter on Pensions.

suggest that the aim in view by fixing this minimum was the distribution of the burden of Zakāt as widely as possible even where a man with a large dependent family could not comfortably afford it. While 'Alī's observation that a man possessing four thousand dirhams was a rich man;<sup>4</sup> 'Umar II's observation 60 years after him, that 20,000 dinars were sufficient for 4,000 homes<sup>5</sup> probably suggest the maxima and the minima of living with a standard, although 'Umar II's standard belongs to a very late period. What 'Umar II might have considered should be sufficient to provide for a comfortable living in a more urbanised society of Syria as late as the year A.H.100. His own expenses of the household are stated to be two dirhams daily and this does not seem to be an exaggeration in view of another statement that one could pass his month with an expenditure of only two dirhams in Basra under Ziyād.<sup>6</sup> Thus the exemption limit of 200 dirhams for every owner of 'Zakāt-able' goods may be an amount for comfortable living of a man but could not provide comfortable living to an average family. And it is also not surprising because the exemption limit is granted on personal holdings but not on family holdings. Thus if there are four persons in a family who are severally liable to Zakāt, each of them will separately be enjoying this exemption limit.  

After basic evidence, study may be made of the available

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4. Qut., 292.

5. I.A.H.(U), 58. This comes to 5 dinars per family per month or 600 dirhams per annum.

6. I.F., 90.



prices in different regions. In some cases the prices of different articles have been inferred on the basis of arithmetic calculation. For example, in the case of blood-wit, 100 camels were treated as equivalent to 1,000 dinars or 10,000 dirhams or 2,000 goats or 200 suits or 200 cows<sup>7</sup> which meant 1,000 dinars could command each of these lots or in other words a goat could be had for 5 dirhams, a suit for 50 dirhams and so on. Similarly when it is reported that a certain person retained with him two dirhams for expenditure on food during his expedition to Khaybar and left two dirhams for his household expenditure during his absence it means that the amount of two dirhams could be sufficient for a family for expenses for about 15 days.<sup>8</sup>

The most important items of human necessity have been food, clothing and shelter. Food prices for the early period are not given anywhere in clear figures. The principal diet of the Arabs was dates or barley. A man could buy dates for two or less than two dirhams to eat for about fifteen days.<sup>9</sup> As regards the prices of grain, only this much is known that the prices had fallen down to a reasonable extent after import of wheat from Egypt had started during 'Umar's time.<sup>10</sup> but they again soared up during anti-'Uthmān agitation. Later on the prices in Medina are reported to have gone up during Ibn Zubayr's 'revolt' and rose to two dirhams for a modi of wheat;<sup>11</sup> while the average monthly

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7. Kh., 92.

8. Waq., 635.

9. Supra.

10. See Chapter on Centre-Province relationship.

11. Balādhurī: Ansāb al-Ashraf, ed. Ahlwardt, p.34. Cf. S.A.E., 126 n.

consumption of wheat which was fixed by 'Umar for free supply was two modi per man.<sup>12</sup> Some rough idea about low prices of wheat can be made, keeping in view the reportedly 'high' price. This provides for a justification to believe that the range of low prices should have been between 1 and  $1\frac{1}{2}$  dirhams for a modi. That is why the person going on expedition to Khayber left a total of 2 dirhams for household expenses for about fifteen days.<sup>13</sup> It should not be ignored that barley, the common man's diet, was cheaper than wheat.<sup>14</sup> Tax on land under production of barley was fixed at half of that under wheat crop.<sup>15</sup> Mu'awiya reduced by half the quantity of sadaqa al-fitr in terms of wheat than that fixed in terms of barley.<sup>16</sup> The price of an average goat was 5 dirhams<sup>17</sup> and of below average, 3 dirhams.<sup>18</sup>

As regards clothing, the cheapest quality of shirt could be bought for 3 dirhams,<sup>19</sup> and a mantle for 4 dirhams.<sup>20</sup> A pair of thick shoes was bought by 'Umar for 1 dirham.<sup>21</sup> The price of a trouser was 4 dirhams.<sup>22</sup> The following table will give at a glance the different prices of various items, as quoted by historians.

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12. Bal., 446.

13. Supra.

14. The evidence of Pap. IV, 315 n.128 suggests that even in Egypt the price of barley was half the price of wheat.

15. See Chapter 7.

16. Muslim, 7, 62.

17. Kh., 92.

18. Ibn Habān. cf. Yūsuf al-Qardāwī, al-Halāl wa'l-Harām, fi'l-Islam, Beirut, 1967, p.120.

19. Waq., 635.

20. Ibid.

21. Jah., 19.

22. Kath., 8, 3.



Table No.15.  
(prices in dirhams)

Wheat <sup>23</sup>	1 to 2 per modi (prices hereinafter in units)
Shirt <sup>24</sup>	2, 3, 4, 6½, 8, 14, 400
Mantle <sup>25</sup>	4, 5, 8, 100, 200, 500, 1,000
Trousers <sup>26</sup>	4
Two-piece dress <sup>27</sup>	50, 500
Rough shoes <sup>28</sup>	1
Goat <sup>29</sup>	3, 5
Camel <sup>30</sup>	40, 70, 120, 300, 400
Coat-of-mail <sup>31</sup>	sold for a garden
Shield <sup>32</sup>	3
Arm ( <u>saīāh</u> ) <sup>33</sup>	280
Saddle (camel's) <sup>34</sup>	13
Agricultural land <sup>35</sup>	100, 100,000, 170,000, 1,600,000
Garden <sup>36</sup>	Sold for a coat-of-mail
Date tree <sup>37</sup>	1,000
Slave <sup>38</sup>	8, 360, 400, 600, 800, 10,000, 40,000
Maid slave <sup>39</sup>	150, 200, 6,000, 10,000

23. Supra.

24. Kh.17 (in Iraq); Kath., 8, 3 (perhaps in Iraq); Waq., 635; Sad., III, 1, 18; for 6½ dirham see Bal., Ansab, Mss. 438a, cf. S.A.E., 129.

25. Waq., 635; Sad., III, 1, 132; Waq., 6, 35; Sad., 5, 39; III, 1, 92; IV, 1, 127; V, 161; Dh.(Tar), 2, 190.

26. Kath., 8, 3 (perhaps in Iraq)

27. Kh., 92; Sad., IV, 1. 45.

28. Jahs., 19.

29. Supra.

30. Waq., 36, 400; 687; Tir., 6, 157, 162; Sad., 1, 1, 153.

31. Bukh.(Buyū'), 52.

32. Bukh.(Ḥudūd), 26.

33. Waq., 909.

34. Sad., 4, 2, 80.

35. Waq., 688 (calculated average), Sad., III, 1, 132 (with 15 wasqs of yield per crop), Bukh.(Khums), 37, (Zubayr's land was sold for 1,600,000 after his death. Ibid.

36. Supra.

37. Sad, IV, 1, 49.

38. Mus., 7, 83; Bukh.(Buyū'), 116; Sad., III, 1, 27; Tab., 2, 1470; Bukh.(Kaffarat al-Ayman), 8; Kath., 9, 4.

39. Waq., 523-24 (Calculated average: 2 female slaves and 6 children sold for 1,500 dirhams; one female slave and 2 children for 450 dirhams); I.A.H.(M), 58, 193; I.A.H., 80.

The above prices were current mostly in Hījāz and 'Irāq. Greek Papyri give some prices that were current in Egypt during the middle of the period under study. They are reproduced below.<sup>40</sup> They can be accepted with the reservation that they represent the most expensive period as observed by al-Kindi.<sup>41</sup>

Table No.16.

Commodity	Period	Rate			
Wheat	699 A.D. (A.H.80)	20 artabas per solidi or dinar			
"	706-07 (87-88)	12	"	"	"
"	709 (90)	13	"	"	"
"	715-16 (96-97)	10	"	"	"
Oil	711 (92)	20 xestes ( <u>qist</u> )			
Dates	"	12	artaba	"	"
Onions	"	10	"	"	"
Raisins	"	2	"	"	"
Boiled wines	"	40 xestes ( <u>qist</u> )			
Vin Ordinaire	"	72	"	"	"
Poultry	"	20 birds			
Sheep	"	2 heads			
Vegetable	"	60 bundles			
Firewood	"	16 centenaria			

According to the same evidence per-capita monthly consumption was calculated at 7 artabas of loaves,  $1\frac{1}{6}$  artabas of pulses and 7 xestes of oil. The cost of provision

40. Pap. IV., Introduction p. XXXVIII.

41. According to al-Kindī, the period of 'Abd-Allāh's governorship (A.H.86 onwards) witnessed for the first time unprecedented rise in prices. People alleged him to be corrupt and called him mukayyis. Kindi, p. 59.



(probably only oil and salt) of a man for 6 months was estimated to be  $11\frac{1}{2}$  carats or about  $\frac{1}{2}$  solidus (dinar).

The above lines include the prices of those items which do not register any abnormal rise or fall in ordinary circumstances. But if there is a wide range of variation in prices of the same item, it surely reflects the great difference in the quality of goods. A coarse plain shirt may well cost three dirhams but it cannot be comparable with a superior silken shirt inlaid with golden embroidery. This is always the case with the prices of slaves and animals. The price of each and every slave must depend on his talents and accomplishments. The price of an animal is governed by its age, health and breed. The prices of land are sometimes governed even by those factors which are not to be found within the land itself. Development of the adjacent area, progress in the means of communication and transport or attachment of any historical, social or religious significance may cause a sudden increase in the demand for land and hence an increase in its price. These phenomena were actively at work in fast developing Arabia and other Muslim lands and as a result the prices of such items were witnessing an unprecedented increase. The land which Zubayr bought for 170,000 dirhams was sold for about 1,600,000 dirhams after his death.<sup>42</sup> A big house three miles away from Medina was sold for 300,000.<sup>43</sup> In Basra a house which cost 5,000 dirhams fetched 10,000 simply because of its neighbourhood.<sup>44</sup> Ibn 'Umar was offered 10,000 dirhams for his slave Nāfi'. He himself bought another one for

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42. Bukh. (Khums), 37.

44. Bal., 347.

43. Dh. (Tar), 2, 289.

40 thousand.<sup>45</sup> There are many instances of fabulous increases in the prices of all these items with the passage of time and there seems to be no point in emphasising this except that the latter instances of possessing big building or land or good slaves or horses became the criterion of judging the level of affluence.

### Salaries and Wages

After having a sketchy idea of the level of prices it is worthwhile now to examine if the salaries and wages were commensurate with them.

While prices were governed by the laws of demand and supply allowing for all its limitations; the salaries were yet to be fixed by the newly growing Muslim state which had no previous experience or tradition of such administration. The Prophet is stated to have observed: "Whosoever gets an office in our state he may marry if he is unmarried, he may get a house if he does not possess it, he may have a riding animal if he does not own it, he may keep a servant if he does not have one. But if anybody hoards wealth or rears a flock of camels (with government funds) God shall make him rise up as the one who misappropriates or who robs."<sup>46</sup> The Prophet did not fix up any regular salaries. When he appointed 'Uttāb b. Usayd as his 'āmil (officer) at Mecca, he fixed for him one dirham per day.<sup>47</sup> When Abū-Bakr became Caliph he was not sure if he was entitled to a salary as a matter of right. While he was selling mantles as usual, 'Umar said:

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45. Kath., 9, 4.

46. A.U., 651.

47. Sira, 2, 325.



Come, Abū-ʿUbaydā shall provide for you. Abū-ʿUbaydā said: I shall provide for you the allowance for one man of the Muhājirs and a garment for winter and for summer. Then he assigned unto him every day half a sheep, and shelter for him and his family.<sup>48</sup> According to another report Abū-ʿUbayda assigned him 2,000 dirham. Abū-Bakr thereupon said: 'Increase the sum for me for I have a family' so they gave him an increment of 500 dirhams.<sup>49</sup> 'Umar set for himself a standard of his salary he would say: Two suits for the year are permissible for me one in winter, another in summer; and a riding animal for pilgrimage and meal for me and for my family of the standard of an average Qurayshite. After all this I am only one of the Muslims. I shall get what the other Muslims get.<sup>50</sup> 'Uthmān was himself a rich man and did not like to take any salary.<sup>51</sup> 'Alī is also reported not to have taken the Caliphs salary perhaps along with his pension. What he took was a cotton stuffed shirt and dress.<sup>52</sup> 'Umar II, too, lived on his pension only.<sup>53</sup>

These concepts, though modest and sublime in themselves, could not be made applicable to every one. And when salaries were to be fixed there was bound to be some realistic basis for it. Arabs within Arabia could continue to live in their traditional way but when they moved out of Arabia they had to observe the decorum of a ruling nation in a way that could impress the subjects. In the beginning fixation of salary

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48. Stī., 79.

50. Sad., III, 1, 197.

52. A.U., 668-9.

49. Ibid.

51. M.B.Y., 98-99.

53. I.A.H., 46.

for any official in any part of the kingdom was generally the function of the Caliph but later on the power passed on to the provincial governors, so much so that they sometimes fixed their own salary.<sup>54</sup>

‘Umar is treated to be the first to fix regular salaries for officials. He fixed for the surveyor of Iraq five dirhams and a bagfull of flour every day.<sup>55</sup> The governor of Iraq was also given an economical salary but he convinced ‘Umar of the political need to have a reasonable amount.<sup>56</sup> Mu‘āwīya, unlike all other governors under ‘Umar received 1,000 dinars annually.<sup>57</sup> The commander of the Muslim army in Iraq appointed Ziyād in charge of the spoils and paid him two dirhams daily.<sup>58</sup> But when later on Ziyād himself became governor of Iraq he fixed 1,000 dirhams each for his soldiers and 25,000 dirhams for himself.<sup>59</sup> Qādī Shurayh (judge) got 100 dirhams or, according to another report 500 dirhams per month.<sup>60</sup> The judge at Fustāt got 300 dinars annually, during Mu‘āwīya's reign,<sup>61</sup> while another judge of Egypt Hudhayma got 120 dinars.<sup>62</sup> During Marwān's reign the salary of the judge was 240 dinars per annum. The person in charge of an office got 300 dirhams per month.<sup>63</sup> and an ordinary clerk 30 dirhams. Governor Ayās

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54. Yaq., 2, 223.

55. Yaq., 2, 141.

56. Sad., III, 1, 220-21.

57. cf. A.N., 141.

58. Bal., 338; Tab., 1, 2388.

59. Yaq., 2, 223.

60. Kath., 9, 22; Mas, 3, 283.

61. Kindī, 317. cf. S.A.E., 118-19.

62. I.A.H.(M), 241.

63. Jahs., 42.



b. Mu'āwīya was paid 2,000 dirhams.<sup>64</sup> Ibn Hujayra al-Akbar, the governor of Egypt in the early seventies received 200 dinars each for his additional jobs of judge, preaching (qaṣaṣ) and the Bayt-al-Māl.<sup>65</sup> This was over and above his pension amounting to 200 dinars and perhaps the same amount as the salary for his governorship.<sup>66</sup> It is stated that in 'Abd-al-Malik's time the chief of the police was paid 100,000 dirhams<sup>67</sup> while Ḥajjāj received 500,000 dirhams.<sup>68</sup> A shipbuilder in Egypt got 9 to 24 dinars, caulker 18 dinars, sawyer, 22 dinars, labourer 8 dinars and a carpenter 15 dinars per annum.<sup>69</sup> 'Umar II fixed a salary of 300 dinars for his officers so that they may not commit any malpractices because of financial stringencies.<sup>70</sup> The early caliphs believed in austerity on the part of the officials but the latter rulers had a different view and tried to make the officers contented and carefree. To facilitate the glance at the overall picture of the salaries and wages the figures may be arranged as far as possible chronologically. They are given in terms of dirhams per annum at the dinar-dirham ratio of 1:10.

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64. Qut., 35.

65. Kindi, 317.

66. Ibid., also Dh.(Ibar), 97.

67. Bal.; Ansāb, op.cit., 5, 177. cf. S.A.E., 118.

68. Kath.; 9, 51. Ibid., S.A.E.

69. Pap. IV., Introduction p. XXXVIII.

70. I.A.H.(U), 46.

365  
 2,500  
 1,800  
 4,400  
 4,000  
 3,300  
 5,500  
 1,000  
 3,600  
 2,400  
 10,000  
 1,200  
 2,000  
 2,000  
 2,000  
 2,000  
 2,000  
 25,000  
 100,000  
 500,000  
 3,000  
 1,200

The above discussion suggests that there was no uniform standard of fixing the pay for different jobs. While one governor got 2,000 dirhams another got 25,000 dirhams. Apart from some exceptional cases of high salaries which cannot be unconditionally accepted, most of the incomes lie between the range of 2,000 and 5,000 dirhams per annum. These salaries belong to a class of people which was employed in the government. Over and above these salaries regard should also be given to the pensions that Umar extensively granted to early Muslims and soldiers and the list of which continued to be expanded throughout the period under study.<sup>71</sup>

In the above lines has been made a sketchy study of prices, wages and salaries. It will be seen that the prices

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71. For full discussion see Chapter 11, note on pensions.



of food grain and cloth have been within the reach of even the poorest class of people. Wheat at 12 artaba per dinar or one modi per dirham meant that a man of average family; earning twenty dirhams per month could buy within six to eight dirham as his monthly grain requirement while he could arrange to have ordinary clothes for 80 to 100 dirhams every year. Lands and houses in fast growing regions only had become expensive but even there a poor man's tenement in a corner normally cost him his own labour combined with nominal investment in ordinary building material. It was the rich man's mansion which had become expensive in densely populated areas. The question now arises if the distribution of economic resources was widespread or was it limited to a certain class of population or to certain areas. The question can be studied with the help of a similar set of incomplete data.

### Affluence

Books of history and biography are replete with descriptions of the very important persons or of the Companions of the Prophet about whom special care was taken to record as much detail as possible. Thus a description of some such names does not in any way give the maxima of the wealthy persons. There must be numerous persons who might be richer than them but they escaped the notice of scholars for their insignificant religious position. Picturesque details about a number of such persons are to be found in literary works like al-Aghānī but they cannot be made a point of sober analysis in respect of this study mainly

because their degree of reliability cannot be ascertained. Even the sources which have been made a basis of the above and the following inferences are not without defect yet they are much more reliable than the works on literature and poetry /.

How social economic change and individual economic change was ushered in within a short period of the first forty years of Islam can be discernible from the following few instances. When on the occasion of the battle of Hunayn the Anṣār had some grievances about the distribution of booty, the Prophet, addressing them, reportedly said: "Were you not destitutes ('Āla) when I came among you and after that God made you well-off?" The Anṣār (Helpers) are reported to have admitted it<sup>72</sup> which meant that they had realised the over all economic change in Medina. How the condition of the Muslims in general underwent a change in this period can also be examined by the quality and quantity of their equipment which they possessed during their expeditions. While the 300 Muslims had 70 camels and two horses<sup>73</sup> in the year A.H.2, they took with them thirty thousand riders including ten thousand on horseback at Tabūk in the year A.H.9.<sup>74</sup> Although the overall situation was not very impressive, the relative change over the former situation was but a promising development - a net increase in resources. The change that was gradually coming in can be judged in the context of the following stories:

Bukhārī reports that Ibn 'Umar demonstrated the way of

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72. Waq., 957; Tab., 1, 1684.

73. Sad., II, 1, 7.

74. Sad., II, 1, 27.



offering prayers in a single garment and then said: "We did not have even two-piece suits during the Prophet's time." Bukhārī continues that by this Ibn 'Umar wanted to show how it was practically possible to offer prayers with a single piece of clothing.<sup>75</sup> The Hadīth not only reflects the state of poverty in the Prophet's time but contrary to it, also the level of affluence of the people in the later period, who could not even conceive of doing with a single dress. This story reflects the nature of change in the standard of living of the people. Another interesting report about the same Ibn 'Umar appears in Ibn Sa'd's statement that he himself was very much affected by the opulence and sometimes covered himself with a mantle worth 500 dirhams.<sup>76</sup> This report becomes less interesting before another report that Ibn 'Abbās covered himself with a gown (hulla) worth 1,000 dirhams.<sup>77</sup> Another Hadīth transmitted by Bukhārī gives down the two statements in simple words: Ibn Mas'ūd said "Whenever the Prophet advised us to give sadaqa, some of us would earn one mudd of commodity after a full day's labour; and now many of them own 100,000 dirhams.<sup>78</sup> Ibn Mas'ūd has, in his comment, given a very modest estimate of the riches of some of his contemporaries. The extent of their holdings can be gauged by some instances which have been given by historians about some of the well-known persons. That 'Umar agreed to pay 10,000 dinars by way of dower to Kulthūm<sup>79</sup> can be suggestive of the demonstration of his regard for the Prophet's grand-daughter but

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75. Bukh. (Ṣalāt), 4.

76. IV, 1, 127.

77. Kath., 8, 306.

78. Bukh. (Zakāt), 21.

79. Yaq., 2, 139.

the point to note is that a rigid man in austerity, like 'Umar, could arrange to have the amount paid from his own resources without compelling his sons to borrow something from anybody.<sup>80</sup> Ibn Mas'ūd and many other well-to-do Companions in Kūfa refused to accept their pensions and invested money in landed property. Ibn Mas'ūd bequeathed 90,000 mithqāl in addition to slaves, goods, and livestock.<sup>81</sup> 'Uthmān is known to have extensively allotted lands to Muslim s in the newly conquered territories. Its object was to utilize uncultivated lands to add to the funds of the public exchequer and general welfare, and secondly to rehabilitate Muslims in those areas which were absolutely under the practical control of the dhimmīs. This policy gave a fillip to agriculture and building activities. A group of Companions in 'Uthmān's time took to housing and estates, among them was Zubayr b. al-'Awwām who built his house in Basra which stood there till the year A.H.333, and where the businessmen, the wealthy, and the people from the ships (sailors and travellers) stayed. He also built his houses in Kūfa, Miṣr and Alexandria. He bequeathed properties valuing 50,000 dinars in addition to 1,000 horses, slaves, and other properties.<sup>82</sup> According to Ibn Sa'd Zubayr bequeathed lands, eleven houses in Medina, 2 in Basra, one each in Kūfa and Egypt and yet he was indebted because he accepted others' deposits by way of loans and invested them

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80. It is stated that he bequeathed a loan of 80,000 dirhams but this amount was also paid by his sons without borrowing. Sad., III, 1, 260.

81. M.B.Y., 65.

82. Mas., 3, 76.



in properties. Thus he became indebted to 2,200,000 dirhams. He bought the property of al-Ghāba for 170,000. His four wives received a share of 4,400,000 by way of inheritance which totalled 40 million dirham.<sup>83</sup> During the same period Ṭalḥa b. 'Ubayd-Allāh also built a house in Kūfa. His daily income from Iraq alone was one thousand dinars or even more. Ibn Sa'd puts his income at 1,000 dirhams, not dinars and adds that he had sold one of his lands for 700,000 dirhams, and bequeathed 44 lakh dirhams or, according to another narration, 30 million dirhams.<sup>84</sup> According to Mas'ūdī he also had a house in Medina.<sup>85</sup> 'Abd-ar-Rahmān b. 'Awf also built a house and extended it. He had a hundred horses in his stable, 1,000 camels and 10,000 sheep. The value of a quarter of his wealth was 84,000 dinars.<sup>86</sup> Zayd b. Thābit bequeathed a property of which the value of gold and silver alone amounted to 100,000 dinars in addition to properties and estates.<sup>87</sup> Ya'la b. Munabbih bequeathed 500,000 dinars in addition to the loans outstanding on others. The value of his property amounted to 300,000 dinars.<sup>88</sup> Zayd b. Thābit is stated to have spent 30,000 dinars on the construction of his house.<sup>89</sup> Sa'd paid 5,000 dirhams as Zakāt on his cash holdings alone. He bequeathed 250,000 dirhams.<sup>90</sup> Ḥakīm b. Ḥizām sold one of his houses for 60,000

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83. III, 1, 76.

84. III, 1, 157, 158.

85. Mas., 3, 77.

86. Ibid. But according to Sad., III, 1, 96, he had 3,000 sheep and also bequeathed the estate in al-Juraf which was irrigated by 20 camels. The 1/3th portion of his wealth came to 80,000 dirhams.

87. Ibid.

88. Ibid.

89. I.F., 109.

90. Sad., III, 1, 105.

to Mu'āwiya. He had the resources to volunteer the payment of half the amount of Zubayr's debt of 2,200,000 dirhams.<sup>91</sup> Mu'āwiya had lands in Hijāz which employed 4,000 workers.<sup>92</sup> Maslama b. 'Abd-al-Malik was so resourceful as to have financed the construction of the canals which cost him three million from his personal resources.<sup>93</sup> The Governor of Iraq once wrote to 'Umar II that the people of Basra had acquired so much wealth as to make them arrogant.<sup>94</sup> By about the same time the officials of Egypt had reported that their treasuries were so full that they could hold no more.<sup>95</sup>

The holding of large fortunes by any number of persons in any society does not necessarily represent the general condition of the society unless these fortunes are made to create their 'multiplier effect'. Hoarding of large treasures does not change the fate of even the owner. Investment in activities like housing has a very limited and temporary impact. But investment in productive activities like agriculture, industry, or trade effects a far reaching change in the economic condition of the whole society. The bringing of new lands under cultivation would involve widespread mobilization in the different sectors of the economy: more employment, extension in the means of transport and communication, expansion of the market, increased demand and production of producer and consumer goods, increase in investment opportunities and government revenues - all have

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91. Dh.(Ibar), 60.

92. Cf. Abu 'n-Naṣr, op.cit., 147.

93. Qūd., 241.

94. Sad., 5, 282.

95. I.A.H.(M), 132.



their direct and indirect impact on the overall economic condition of the society. The institution of Zakāt had gradually been effecting this change quite imperceptibly.<sup>96</sup> The later developments could not but accelerate that effect in a more pronounced way. And these activities must have brought a change in the general level of income of the common man too. As regards the price structure there are some reports to suggest the situation in relation to general purchasing power.

Egypt which some time before was the richest and the most valuable province of the Byzantine empire<sup>97</sup> now formed part of the Muslim empire. But because of the differences in fertility the prices of food grain also varied. Egypt had so far been supplying free bread to the Romans and then to the Byzantines.<sup>98</sup> But the Muslim conquest mitigated this burden of the whole empire to a few thousand conquerors who were stationed in Egypt. Export of grain from Egypt to Arabia was still there, but there are reports to suggest that they were not supplied free. For example Ṭabarī gives an account of the digging of the old canal linking the Nile to the Red Sea in these words:

"ʿAmr-al-ʿĀs wrote to ʿUmar: If you wish that the prices in Medina may become like the prices in Egypt I shall get the old canal dug up again and the bridges reconstructed. ʿUmar advised him to expedite. The people of Egypt tried to dissuade ʿAmr from it and said: Your Kharāj (land-tax) is

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96. See Chapter 7.

97. Ostro., 103.

98. J.M.H., 4, II, 86.

sufficient (zāj) your Caliph is satisfied and if you complete the work, it will break Kharāj (land-tax). When 'Umar knew it he said: 'Expedite it! If God deserts Egypt for the prosperity of Medina, let it be so'. As a result, the prices in Medina also became like the prices in Egypt, and Egypt also became prosperous and such a situation never recurred until the blockade during 'Uthmān's time.<sup>99</sup>

The above report suggests the supply of grain on trade terms, that is why it exercised its healthy effect on market prices in Medina and on general prosperity in Egypt. While increase in demand for grain in Egypt should have increased its prices and brought more income to the Egyptian peasant and hence his prosperity, the increase in supply in Medina should have brought down the food prices there and thus cut down the cost of living. That is why the report suggests in the end that the prices in Medina became like those in Egypt and Egypt also became prosperous. Due to blockade, the regions which imported wheat from Egypt must have faced a shortage in supply, hence a rise in prices, as has been reported by al-Kindī.<sup>100</sup> But the reports about rising prices in Egypt first appear in the years A.H.86-88 during the governorship of 'Abd-Allāh b. 'Abd-al-Malik.<sup>101</sup> The impact of this rise in prices can be gauged by the prices of wheat in Egypt during this and the subsequent period.<sup>102</sup> The figures indicate that a man needed about seven dinars to buy his annual requirement of grain, although

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99. Tab., 1, 2577.

100. Kindi, 14.

101. Kindi, 59.

102. Supra.



in a purely agricultural society a village man's needs for food and clothing are supplied from the farm.

Reports about the cost of living at some other centres also give a satisfactory picture. Ibn al-Faqīh reports about a man who went to Basra and on his return to Medina observed: "It is the best place for the hungry, the traveller, and the destitute. A hungry man can eat rice bread with curry for two dirhams for a month..."<sup>103</sup> This is said to be the situation in Ziyād's governorship of Iraq. It was an ideal situation of prosperity which could hardly continue for ever. 'Umar II's change in taxation policy, by allowing the farmers again to pay taxes in terms of commodity caused some increase in agricultural prices.<sup>104</sup> The trend seems to have continued later also but then the reason seems to have been different. According to Ṭabarī Hishām's governor of 'Irāq Khālīd al-Qīṣrī used to say: "You think I cause rise in prices? Hell be upon the one who does it!" The fact was (Ṭabarī continues) that Hishām wrote to Khālīd not to allow the sale of anybody else's grain unless his own commodities were sold out. As a result the prices soared up to such an extent that a kaylaja of grain was sold for as high as a dirham.<sup>105</sup> It means that even in this period of expensive grain a man could get his grain requirements for about 3 dirhams a month - if grain was his principal diet. In spite of this level of prices

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103. I.F., 90.

104. Kh., 76.

105. Tab., 2, 1658. Kaylajā = gallon or  $1\frac{1}{2}$  Sā'. For weights see Appendix.

Iṣṭakhrī insists that Armenia was the most prosperous and inexpensive region.<sup>106</sup> This might belong to his own period (third century) but anyhow helps us in assuming that in the early period the situation would not have been to the other extreme.

The above discussion can give some idea about the level of prices, level of incomes, the rate of investment, and the cost of living at certain places in Arabia, Iraq and Egypt. The data are supposed to be valid in towns but should not represent the situation in rural areas where the standard of living is different from that in the cities, prices of locally produced goods - necessities - are at a lower level, and the farmers' requirements of food and clothing are met from his own farm. As a result the rate of wages in these rural areas are also low.

### Population

The validity of examining the relationship of prices, incomes, and cost of living, to prosperity or the standard of living can be made out only when a study of the data of an important factor of change - population - is not neglected. A stationary population or a small population with a slow rate of growth and a fast rate of conquests would not affect the economic indicators nor would it disturb the routine functioning of the old institutions. It would simply enjoy the fruits of the labour of the previous owners and

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106. Ist., 181. On p.191 he has cited the prices of goats as 2 dirhams each and honey sometimes at 2 to 3 munn per dirham.



relish in their efforts crediting to itself its predecessors' achievements. It is, therefore, reasonable to have some idea of the trends in population too.

The first century of expansion was the result of unceasing wars. As a result the rate of deaths on either side must be high. It was quite a unique situation in Arabia that the fate of the entire Peninsula was decided with a loss of only a few hundred persons, although it involved some pitched battles too. But the situation outside Arabia was different. Over and above the loss of lives through wars was the toll of Muslim lives which civil wars inflicted on them. Epidemics in and migrations from Muslim territories were also responsible for change in the pattern of population. It is said that the plague of 'Amwās took the toll of 25,000 lives.<sup>107</sup> Jabala b. Ayham is reported to have crossed into the Byzantine territory along with his 30 thousand tribesmen.<sup>108</sup> Many of the Jews and Christians who were expelled from Ḥijāz to prosper in 'Irāq and Syria might have crossed into other lands although their number should have been negligible. The flight of the Persians from their lands conquered by the Mūslāms must have been temporary but the Byzantines in Egypt took permanent shelter across Syria and a large number vacated Egypt.

In spite of these visible factors the overall situation presents an entirely different picture. While the dislocation

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107. Bal., 140.

108. Bal., 142; Yaq., 2, 137.

of non-Muslim subjects in the conquered lands was a temporary phase and as soon as they reconciled to the new situation they engaged themselves in the normal routine of life.

Growing prosperity, increasing affluence, intoxication of conquests, and, above all, the social values of Islam were conducive to a fast increase in the Muslim population.

The more there were losses at the initial stages, the faster they multiplied which more than off-set their loss. It will be interesting to have a rough idea about the rate of growth in respect of those persons whose number of children are

recorded in books of history. The following table gives

the names of such persons, and the number of their sons plus daughters. Single entries would mean the number of sons

only because the number of daughters is not recorded. Single entries in parenthesis would mean a total of both or the

gender not given. All the figures except three are

taken from Ibn Sad. For the remaining three, cf. Yaq., 3, 26; Mas'ūdī, 3, 290 and Kath. 8, 236-37.

Among these distinguished persons, the per head average reproduction comes out to about 18 or  $12 + 6$ . In these figures the male population is not as significant as the net reproduction rate which is represented by the female population. In this way the trend of productivity from the beginning to the end of the period is surely very promising.

The first census of the Muslims was conducted when the Prophet was perhaps still at Mecca. According to Hudhayfa the number of Muslims at that time came to about



Table No.17.

Table of Reproduction Rate of Selected Persons.

	Sons + Daughte:
'Abd-al-Muṭṭalib	12 + 6
'Alī	14 + 9
Zubayr	11 + 9
'Abd-ar-Rahmān b. 'Awf	18 + 8
Sa'd b. Waqqāṣ	16 + 18
Ṭalḥa b. 'Abd-Allāh	9 + 4
'Umar b. al-Khaṭṭāb	8 + 5
Sa'Id b. Zayd	13 + 14
Ḥakam (Marwān's father)	20 + 8
Sa'Id b. al-'Ās	20 + 21
Marwān b. al-Ḥakam	(13)
'Abd-Allāh b. 'Āmir	12 + 6
'Abd-ar-Rahmān b. Zayd	10 + 6
Ibrāhīm b. 'Abd-ar-Rahmān	10 + 9
Walīd b. 'Ubāda	10 + 2
Sa'Id b. Sa'd b. 'Ubāda	10 + 5
Muḥammad b. Ḥanafīyya	12 + 2
'Umar b. Sa'd b. Waqqāṣ	11 + 10
'Urwa b. Zubayr	9 + 9
Mundhir b. Zubayr	11 + 2
Mus'ab b. Zubayr	12 + 2
Ja'far b. Zubayr	9 + 15
Khālīd b. Zubayr	8 + 6
'Amr b. Zubayr	2 + 3
'Ubayda b. Zubayr	1 + 1
Ḥamza b. Zubayr:	(1)
'Ubayd-Allāh b. 'Abd-Allāh b. 'Umar	11 + 5
'Abd-al-Malik b. Marwān	16 + 2
'Alī b. 'Abd-Allāh b. 'Abbās	21 + 15
Yazīd b. Mu'āwiya	15 + 5
'Umar b. Sa'd b. Mu'ādh	9 + 3
Walīd	16
Sulaymān	10
'Umar II	9
Yazīd b. 'Abd-al-Malik	10
Hishām	10
Walīd b. Yazīd	14
37	442 + 211
	+ (14)

1,500 while Bukhārī puts the figure at 500 and Abū-Mu'āwiya between 6 and 7 hundred.<sup>109</sup> The number of Muslims, while the Prophet migrated to Medina, cannot definitely be ascertained because the number of persons who really embraced Islam is unknown. A general remark that most of the Anṣār (Helpers) had come under the fold of Islam does not help us because the total number of the Anṣār is also not known. But if we roughly suppose that the number of the Anṣār in the expedition against Mecca was two thirds of their total fighting strength, this may put their total number of fighters to about 6,000 because the expedition included 4,000 Anṣār.<sup>110</sup> Thus even without allowing for a further number of very old, invalid, and the hypocrites who backed out, the total number of males and females of all ages will come to about 18,000 persons.<sup>111</sup> This is over and above the number of the Jewish population whose strength might be as follows:

1. Banū Qaynuqā'	700 <sup>112</sup>	exiled
2. Banū Nadīr between 1,000-1,500 or 1,200 <sup>113</sup>		exiled
3. Banū Qurayẓa	1,600-1,750 <sup>114</sup>	(killed, 600-700 (enslaved, 1,000)
Total	about	3,500

109. Bukh. (al-Khurūj fī Ramaḍān), 96.

110. Waq., 800.

111. For the formula of calculation see note 119.

112. Tab., 1, 1361; A.U., 348 puts the figure at 400, Ibn Hishām (Sira, 2, 171) between 600-900.

113. According to Sad., II, 1, 41, they rode 600 camels. The average load per camel has been supposed at 2 persons including children.

114. Sad., II, 1, 34 (gives the figure perhaps of the killed). Waq., 517, 518, 523; Sira, 2, 171.



The number of Emigrants (Muhājirūn) may also be worked out like the number of the Anṣār but allowing for a lesser number of sitters. This will put the total figure of Emigrants to about 2,500, because their number in the Meccan expedition was 700.<sup>115</sup> Thus the figures of the Medinian population will come to a little more than 20,000 without the Jewish population. The rate of increase in population can be conjectured in view of the report that the population of Najranites which was 25/30,000 in the year 8 rose to 40,000 within ten years.<sup>116</sup>

Khaybar, according to Waqidi's sources, had 10,000<sup>117</sup> fighters. But if the report that under the terms of surrender the Muslims took over 100 coats of mail, 400 swords, 1,000 lances and 500 bows, is correct and represents the entire belongings of the Jewish fighters at Khaybar and does not pertain to some particular fortress or group the figure of 10,000 is doubtful. The terms of the treaty with the people of Khaybar included surrender of all the arms. Would the 10,000 fighters possess only 400 swords? Even if lances and bows are calculated at one to each the total number will come to 2,000 fighters. With what arms did the other fighters take part in the war? It may be said that the agreement to surrender arms was made with those Jews who took part in war, but not with those who surrendered without confrontation. But even that much will not cover

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115. Waq., 800.

116. Tab., 1, 1987.

117. Waq., 671.

up the fallacy of the figure because the strength of those who thought it safe to come to terms without a fight must have been less than that of those who dashed out for confrontation. Thus if the number of the latter could at the most be 1,900, that of the former could not be more than 1,500. It seems that Wāqidī has based his report on the statement of a disgusted Jew of Banū Nadīr who, during their exile, proudly exaggerated the strength of Khybarites<sup>118</sup> and tried to indulge his feelings of vendetta. There is a possibility that the total population of Khayber might be 10,000 out of which about 1,900 + 1,500 or so might be fighters while the disgusted Jew used his eloquence but not mathematics.

As regards the number of Jews and Christians in other parts of Arabia some incomplete information can be had with reference to the amount of poll-tax levied on them. For example, the people of Najrān, mostly Christians, were communally required to pay their poll-tax in terms of gowns (hullas) but there are reasons to believe that their number was also kept in mind while assessing poll-tax. 2,000 Gowns were required annually, each valuing one ūqiya which equalled 4 dinars. Generally the Prophet levied one dinar per head. With this hypothesis the poll-tax might have been calculated on 8,000 heads. Thus the total tax paying community can be conjectured<sup>119</sup> between 25,000 to 30,000. This seems to be

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118. Waq., 373.

119. The figures are computed from the following data: One twelfth of mankind above sixty, one third below 16, the proportion of men to women = 17:16 (Recherches sur la population de la France, pp.71-72. Cf. Gibbons, 5, 458 fn. 152). (The same formula has been applied in conjectures, everywhere).



a plausible figure in view of the reports that at the time "Umar expelled them from Arabia about ten years after this agreement, their total strength was 40,000.<sup>120</sup> The tax paying population of Ayla, Adhruh, and Jarba' was 300, 100 and 100 respectively.<sup>121</sup> Thus the total population of the community will, according to the same formula, come to about 1,000, 300 and 300 respectively. The Christians, Jews and Magians in Yemen, Ḥimyar, Hajar, Baḥrayn, 'Umān, Maqnā', Duma al-Jandal, Tayma', Tabāla, and Jurash were also subjected to tax, but the figures of total levy on them are not given; thus making it impossible to conjecture.<sup>122</sup> This much can, however, be observed that Yemen, Ḥimyar, Hajar, 'Umān, and Baḥrayn had a substantial number of these non-Muslims, in the total population. Other places were probably just like villages, accommodating a population which would not exceed three figures.

At the time of the conquest of Ḥīra (A.H.12) in Iraq the population of the town was about 20 thousand<sup>123</sup> while the total taxable population of Iraq west of Madā'in was 550,000 and across Madā'in about 35,000.<sup>124</sup> Thus the total population will come out around 1,800,000 persons. Kūfa, Baṣra, and Wāṣit were founded by Muslims after the conquest of Iraq. In the beginning Kūfa had a population of 20,000 persons; 12,000 from Yemen and 8,000 from Nazār.<sup>125</sup> Baṣra

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120. Bal., 78.

121. For Details see Chapter 8.

122. Collections from Baḥrayn also include the amount of Zakāt and thus it has become impossible to conjecture the relative strength of the different communities.

123. Refer to Chapter 8.

124. Tab., 1, 2467.

125. Bal., 276.

was originally founded by 'Utba and Muslims from different parts of Arabia were inhabited in seven different localities,<sup>126</sup> each marked for a tribe. But by the time of Ziyād the population of Kūfa swelled to 60 thousand and that of Baṣra to 80 thousand fighters while the number of their family members stood at 80 thousand and 120 thousand respectively.<sup>127</sup> The number of civil servants and traders and craftsmen is not included in it. By the time of 'Ubayd-Allāh b. Ziyād the fighting strength of Kūfa increased to 80 thousand.<sup>128</sup> This was over and above the large number of civil servants numbering 140,000.<sup>129</sup> These figures also do not account for the number of those who were not working under the government. In the early stages the Muslim increase in population outside Arabia was the result of migration and mobilization, but later on one of the factors responsible for these trends was the increase in their population. The rulers perhaps wanted to maintain a politically expedient balance between different political and tribal groupings. Absolute increase in population was also not treated as desirable socially and economically. The tendency of explosion in population was more pronounced in Kūfa and Baṣra and as a result large numbers of fighters in these centres were mobilized. Mu'āwiya shifted Sabātiya and Zaṭ from Baṣra to Syria<sup>130</sup> while Sulaymān shifted 40 thousand fighters from Baṣra and 7,000 from Kūfa to be stationed in Khurasan.<sup>131</sup> Earlier

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126. Bal., 337.

127. Bal., 344-45.

128. Tab., 2, 433. It would perhaps be because of this total number of fighters that some people from Kūfa are stated to have written to Husayn b. 'Alī that 100,000 persons were ready to take oath of allegiance to him (I.F., 173).

129. Ibid.

130. Bal., 166.

131. Ibid.



also mobilization was being effected on strategic and political grounds. 'Alī, for example, despatched a number of pensioner Muslims to Azdabīl.<sup>132</sup>

The tendency to mobilize the whole or a part of the population for strategic or political reasons is mainly discernible in Syria throughout the period. Abū-'Ubayda had the Muslims in Syria shifted to Bālis (Polis).<sup>133</sup> Mu'āwīya, during 'Uthmān's reign, sent to Cyprus 12,000 pension receivers (ahl-ad-dīwān) and the people of Ba'labak for rehabilitating a city.<sup>134</sup> It is said that 'Uthmān encouraged Muslims to dwell in the border areas of Syria.<sup>135</sup> In the year A.H. 42 Mu'āwīya transferred the Persians of Antioch, Ba'labak, and Emessa to the border areas of Jordan, Šūr and 'Akkā,<sup>136</sup> while the cavalries at Kūfa, Baṣra, Bā'labak and Emessa were transferred to Antioch.<sup>137</sup> Emessa during Marwān's time had twenty thousand Muslims, in addition to non-Muslims.<sup>138</sup> In the year 49 Mu'āwīya called for the craftsmen and carpenters and settled them in border areas.<sup>139</sup> 'Abd-al-Malik also sent people to dwell in 'Asqalān.<sup>140</sup> While 'Umar transferred 4,000 persons of Banū Ayād from Byzantine borders to Syria and Mesopotamia,<sup>141</sup> Hishām transferred 24,000 Syrians to the newly founded city of Medina-

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132. Bal., 324.

134. Bal., 158.

136. Bal., 153.

138. Agh., 6, 50.

140. Bal., 150.

133. Bal., 155.

135. Bal., 124, 153.

137. Ibid.

139. Bal., 124.

141. Khal, 2, 108 supp.

al-Bāb.<sup>142</sup> When the Muslims occupied Ṭarinda in A.H.83, they settled themselves there, but 'Umar II, due to a threat of enemy attack got it vacated and deserted.<sup>143</sup>

It will be seen that much of this mobilization was effected by large numbers of Muslims. Such a large scale exodus of the Muslims should have left Arabia with sparse population and deserted. But there are no indications to suggest any such situation. It is reported by some historians that most of the Helpers (Anṣār) had already moved out of Medina and settled themselves in different Muslim cities outside Arabia, but along with it the population of Medina is also found increasing. General increase in the prices of landed properties and estates in Ḥijāz also confirms the theory that the region was not relieved of the pressure of population which, in Medina, is reported to have begun ever since 'Umar's reign.<sup>144</sup>

Egypt was perhaps the country where the Arabs did not rush to settle as they did in the north. One of the reasons might be that it was already densely populated. The figures of the population of Egypt as given by historians are appalling. There is no doubt that constant wars between Byzantine and Persian empires forced the people to leave Iraq, Syria and Palestine - the battlefield of the two powers - and to move towards a safer place like Egypt. Throughout the whole of the sixth century in particular the pressure of the Persians on the eastern frontiers of the Roman empire

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142. Bal., 209.

143. Bal., 189.

144. Sad., IV, 1, 13.



had steadily increased and it was beginning to be seriously felt in Egypt when Hiraclius was recognized as Emperor. As the Persian armies advanced, numerous fugitives from Syria and Palestine took refuge in Egypt; and when the enemy invaded the Delta, the refugees were driven into Alexandria. The city was thus crowded with a great multitude of people.<sup>145</sup>

In spite of this growth of population in Egypt generally and in Alexandria in particular, the figures brought out by historians intrigue all estimate. It has already been argued that a figure between 4 to 5 million would be a reasonable estimate of population for the whole of Egypt<sup>146</sup> at the time of the Arab conquest.

The number of Muslims in Egypt at the time of the conquest was about 12,300.<sup>147</sup> By Mu'āwīya's time the number of fighters rose to about 27,000<sup>148</sup> while there are stated to be 40,000 names in pension registers.<sup>149</sup> It suggests that by this time Muslims had started permanently settling themselves in Egypt, along with their families. At the same time the number of Muslim soldiers in Ifrīqiyya which was deployed in 'Uthmān's time stood at 20,000.<sup>150</sup> In the later period every newly appointed governor brought with him a large contingent of his clan and rehabilitated them. In A.H.100 the police chief Hārith arrived with five thousand

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145. J.G.M., 113-14.

146. See Chapter 8, note on Egypt.

147. Kindi, 9. The remaining out of a total of 15,500 are reported killed in wars.

148. I.A.H.(M), 192.

149. Maq.(Kh), 1, 79.

150. I.A.H.(M), 184.

persons.<sup>151</sup> In 109 during Hishām's reign governor Walīd called for 3,000 Qasrites<sup>152</sup> and rehabilitated them permanently. When Hawthara was made governor of Egypt in 128 he arrived in company of 7,000 persons.<sup>153</sup>

These large scale mobilizations of population from one inhabited place to a less inhabited place, without leaving any sign of relief in the pressure of the total number, reflects the trend of abnormal increase in the population and provides a retrospect for the relative study of the trends in prices, cost of living and the standard of living of the people.

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151. Kindi, 68.

152. Kindi, 76-77.

153. Ibid., 88.



## APPENDIX I

Translation of Verses referred to in Chapter 1

<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
2	3	Who believe in the unseen, and establish worship, and spend of that We have bestowed upon them.
2	43	Establish worship, pay the poor-due....
2	83	...and establish worship and pay the poor-due...
2	110	Establish worship, and pay the poor-due...
2	172	O ye who believe! Eat of the good things wherewith We have provided you, and render thanks to Allah if it is (indeed) He whom ye worship.
2	173	He hath forbidden you only carrion, and blood, and swineflesh, and that which hath been immolated to (the name of) any other than Allah. But he who is driven by necessity, neither craving nor transgressing, it is no sin for him. Lo! Allah is Forgiving, Merciful.
2	177	...giveth his wealth, for love of Him, to kinsfolk and to orphans and the needy and the wayfarer and to those who ask, and to set slaves free; and observeth proper worship and payeth the poor-due...
2	180	It is prescribed for you, when one of you approacheth death, if he leave wealth, that he bequeath unto parents and near relatives in kindness. (This is) a duty for all those who ward off (evil).
2	184	(Fast) a certain number of days; and (for) him who is sick among you, or on a journey, (the same) number of other days; and for those who can afford it there is a ransom: the feeding of a man in need...
2	188	And eat not up your property among yourselves in vanity, nor seek by it to gain the hearing of the judges that ye may knowingly devour a portion of the property of others wrongfully.

<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
2	195	Spend your wealth for the cause of Allah, and be not cast by your own hands to ruin; and do good. Lo! Allah loveth the beneficent.
2	196	Perform the pilgrimage and the visit (to Mecca) for Allah...And whoever among you is sick or hath an ailment of the head must pay a ransom of fasting or almsgiving or offering....
2	198	It is no sin for you that ye seek the bounty of your Lord (by trading). But, when ye press on in the multitude from 'Arafât, remember Allah by the sacred monument....
2	205	And when he turneth away (from thee) his effort in the land is to make mischief therein and to destroy the crops and the cattle; and Allah loveth not mischief.
2	215	They ask thee, (O Muhammad), what they shall spend. Say: That which ye spend for good (must go) to parents and near kindred and orphans and the needy and the wayfarer. And whatsoever good ye do, lo! Allah is Aware of it.
2	219	They question thee about strong drink and games of chance. Say: In both is great sin, and (some) utility for men; but the sin of them is greater than their usefulness. And they ask thee what they ought to spend. Say: That which is superfluous....
2	261	The likeness of those who spend their wealth in Allah's way is as the likeness of a grain which groweth seven ears, in every ear a hundred grains. Allah giveth increase manifold to whom He will....
2	262	Those who spend their wealth for the cause of Allah and afterward make not reproach and injury to follow that which they have spent; their reward is with their Lord....
2	264	O ye who believe! Render not vain your almsgiving by reproach and injury, like him who spendeth his wealth only to be seen by men...
2	267	O ye who believe! Spend of the good things which ye have earned, and of that which we bring forth from the earth for you, and seek not the bad (with intent) to spend thereof (in charity) when ye would not take it for yourselves save with disdain;...



<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
2	268	The devil promiseth you destitution and enjoineth on you lewdness. But Allah promiseth you forgiveness from Himself with bounty....
2	272	...And whatsoever good thing ye spend, it is for yourselves, when ye spend not save in search of Allah's countenance;...
2	273	(Alms are) for the poor who are straitened for the cause of Allah, who cannot travel in the land (for trade). The unthinking man accounteth them wealthy because of their restraint. Thou shalt know them by their mark: They do not beg of men with importunity. And whatsoever good thing ye spend, lo! Allah knoweth it.
2	275	Those who swallow usury cannot rise up save as he ariseth whom the devil hath prostrated by (his) touch. That is because they say: Trade is just like usury; whereas Allah permitteth trading and forbiddeth usury. He unto whom an admonition from his Lord cometh, and (he) refraineth (in obedience thereto), he shall keep (the profits of) that which is past, and his affair (henceforth) is with Allah. As for him who returneth (to usury)—Such are rightful owners of the Fire. They will abide therein.
2	276	Allah hath blighted usury and made almsgiving fruitful. Allah loveth not the impious and guilty.
2	277	Lo! those who believe and do good works and establish worship and pay the poor—due, their reward is with their Lord and there shall no fear come upon them neither shall they grieve.
2	278	O ye who believe! Observe your duty to Allah, and give up what remaineth (due to you) from usury, if ye are (in truth) believers.
2	279	And if ye do not, then be warned of war (against you) from Allah and His messenger: And if ye repent, then ye have your principal (without interest). Wrong not, and ye shall not be wronged.

<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
2	282	O ye who believe! When ye contract a debt for a fixed term, record it in writing. Let a scribe record it in writing between you in (terms of) equity. No scribe should refuse to write as Allah hath taught him, so let him write, and let him who incurreth the debt dictate, and let him observe his duty to Allah his Lord, and diminish naught thereof. But if he who oweth the debt is of low understanding, or weak, or unable himself to dictate, then let the guardian of his interests dictate in (terms of) equity. And call to witness, from among your men, two witnesses. And if two men be not (at hand) then a man and two women, of such as ye approve as witnesses, so that if the one erreth (through forgetfulness) the other will remember. And the witnesses must not refuse when they are summoned. Be not averse to writing down (the contract) whether it be small or great, with (record of) the term thereof. That is more equitable in the sight of Allah and more sure for testimony,...
2	283	If ye be on a journey and cannot find a scribe, then a pledge in hand (shall suffice). And if one of you entrusteth to another let him who is trusted deliver up that which is entrusted to him (according to the pact between them) and let him observe his duty to Allah. Hide not testimony. He who hideth it, verily his heart is sinful. Allah is Aware of what ye do.
3	92	Ye will not attain unto piety until ye spend of that which ye love. And whatsoever ye spend, Allah is aware thereof.
3	104	And there may spring from you a nation who invite to goodness, and enjoin right conduct and forbid indecency. Such are they who are successful.
3	130	O ye who believe! Devour not usury, doubling and quadrupling (the sum lent). Observe your duty to Allah, that ye may be successful.
3	161	It is not for any Prophet to deceive (mankind). Whoso deceiveth will bring his deceit with him on the Day of Resurrection. Then every soul will be paid in full what it hath earned; and they will not be wronged.



<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
3	180	And let not those who hoard up that which Allah hath bestowed upon them of His bounty think that it is better for them. Nay, it is worse for them. That which they hoard will be their collar on the Day of Resurrection.....
4	2	Give unto orphans their wealth. Exchange not the good for the bad (in your management thereof) nor absorb their wealth into your own wealth. Lo! that would be a great sin.
4	5	Give not unto the foolish (what is in) your (keeping of their) wealth, which Allah hath given you to maintain; but feed and clothe them from it, and speak kindly unto them.
4	6	Prove orphans till they reach the marriageable age; then, if ye find them of sound judgement, deliver over unto them their fortune; and devour it not by squandering and in haste lest they should grow up. Whoso (of the guardians) is rich, let him abstain generously (from taking of the property of orphans); and whoso is poor let him take thereof in reason (for his guardianship). And when ye deliver up their fortune unto orphans, have (the transaction) witnessed in their presence. Allah sufficeth as a Reckoner.
4	7	Unto the men (of a family) belongeth a share of that which parents and near kindred leave, and unto the women a share of that which parents and near kindred leave, whether it be little or much—a legal share.
4	8	And when kinsfolk and orphans and the needy are present at the division (of the heritage), bestow on them therefrom and speak kindly unto them.
4	9	And let those fear (in their behaviour toward orphans) who if they left behind them weak offspring would be afraid for them. So let them mind their duty to Allah, and speak justly.
4	10	Lo! Those who devour the wealth of orphans wrongfully, they do but swallow fire into their bellies, and they will be exposed to burning flame.

<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
4	20	And if ye wish to exchange one wife for another and ye have given unto one of them a sum of money (however great), take nothing from it. Would ye take it by the way of calumny and open wrong?
4	29	O ye who believe! Squander not your wealth among yourselves in vanity, except it be a trade by mutual consent, and kill not one another....
4	30	Whoso doeth that through aggression and injustice, We shall cast him into Fire,...
4	32	And covet not the thing in which Allah hath made some of you excel others. Unto men a fortune from that which they have earned, and unto women a fortune from that which they have earned. (Envy not one another) but ask Allah of His bounty....
4	36	And serve Allah. Ascribe no thing as partner unto Him. (Show) kindness unto parents, and unto near kindred, and orphans, and the needy, and unto the neighbour who is of kin (unto you) and the neighbour who is not of kin, and the fellow-traveller and the wayfarer and (the slaves) whom your right hands possess. Lo! Allah loveth not such as are proud and boastful.
4	37	Who hoard their wealth and enjoin avarice on others, and hide that which Allah hath bestowed upon them of His bounty. For disbelievers We prepare a shameful doom;
4	38	And (also) those who spend their wealth in order to be seen of men, and believe not in Allah nor the Last Day. Whoso taketh Satan for a comrade, a bad comrade hath he.
4	39	What have they (to fear) if they <del>..</del> spend (aright) of that which Allah hath bestowed upon them,...
4	58	Lo! Allah commandeth you that ye restore deposits to their owners, and, if ye judge between mankind, that ye judge justly....
4	73	And if a bounty from Allah befell you, he would surely cry, as if there had been no love between you and him: Oh, would that I had been with them, then should I have achieved a great success!



<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
4	77	Hast thou not seen those unto whom it was said: Withhold your hands, establish worship and pay the poor-due, but when...
4	127	...and (concerning) the weak among children, and that ye should deal justly with orphans...
4	128	...Peace is better. But greed hath been made present in the minds (of men). If ye do good and keep from evil, lo! Allah is ever Informed of what ye do.
4	135	O ye who believe! Be ye staunch in justice, witnesses for Allah, even though it be against yourselves or (your) parents or (your) kindred, whether (the case be of) a rich man or a poor man, for Allah is nearer unto both (than ye are). So follow not passion lest ye lapse (from truth) and if ye lapse or fall away, then lo! Allah is ever Informed of what ye do.
5	8	O ye who believe! Be steadfast witnesses for Allah in equity, and let not hatred of any people seduce you that ye deal not justly. Deal justly, that is nearer to your duty. Observe your duty to Allah. Lo! Allah is Informed of what ye do.
5	33	The only reward of those who make war upon Allah and His messenger and strive after corruption in the land will be that they will be killed or crucified, or have their hands and feet on alternate sides cut off, or will be expelled out of the land. Such will be their degradation in the world, and in the Hereafter theirs will be an awful doom;
5	38	As for the thief, both male and female, cut off their hands. It is the reward of their own deeds, an exemplary punishment from Allah. Allah is Mighty, Wise.
5	87	O ye who believe! Forbid not the good things which Allah hath made lawful for you, and transgress not. Lo! Allah loveth not transgressors.
5	88	Eat of that which Allah hath bestowed on you as food lawful and good, and keep your duty to Allah in Whom ye are believers.

<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
5	89	Allah will not take you to task for that which is unintentional in your oaths, but He will take you to task for the oaths which ye swear in earnest. The expiation thereof is the feeding of ten of the needy with the average of that wherewith ye feed your own folk, or the clothing of them, or the liberation of a slave,...
5	90	O ye who believe! Strong drink and games of chance and idols and divining arrows are only an infamy of Satan's handiwork. Leave it aside in order that ye may succeed.
5	91	Satan seeketh only to cast among you enmity and hatred by means of strong drink and games of chance, and to turn you from remembrance of Allah and from (His) worship. Will ye then have done?
5	96	To hunt and to eat the fish of the sea is made lawful for you, a provision for you and for seafarers; but to hunt on land is forbidden you so long as ye are on the pilgrimage. Be mindful of your duty to Allah, unto Whom ye will be gathered.
6	141	They are losers who besottedly have slain their children without knowledge, and have forbidden that which Allah bestowed upon them, inventing a lie against Allah. They indeed have gone astray and are not guided.
6	146	Say: I find not in that which is revealed unto me aught prohibited to an eater that he eat thereof, except it be carrion, or blood poured forth, or swineflesh—for that verily is foul—or the abomination which was immolated to the name of other than Allah. But whoso is compelled (thereto), neither craving nor transgressing, (for him) lo! your Lord is Forgiving, Merciful.
6	166	He it is who hath placed you as viceroys of the earth and hath exalted some of you in rank above others, that He may try you by (the test of) that which He hath given you....
7	10	And We have given you (mankind) power in the earth, and appointed for you therein a livelihood. Little give ye thanks!
7	29	Say: My Lord enjoineth justice....



<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
7	31	O Children of Adam! Look to your adornment at every place of worship, and eat and drink, but be not prodigal. Lo! He loveth not the prodigals.
7	32	Say: Who hath forbidden the adornment of Allah which He hath brought forth for His bondmen, and the good things of His providing?...
7	33	Say: My Lord forbiddeth only indecencies, such of them as are apparent and such as are within, and sin and wrongful oppression, and that ye associate with Allah that for which no warrant hath been revealed, and that ye tell concerning Allah that which ye know not.
8	41	And know that whatever ye take as spoils of war, lo! a fifth thereof is for Allah, and for the messenger and for the kinsman (who hath need) and orphans and the needy and the wayfarer,...
9	5	...But if they repent and establish worship and pay the poor-due, then leave their way free. Lo! Allah is Forgiving, Merciful.
9	11	But if they repent and establish worship and pay the poor-due, then are they your brethren in religion....
9	18	He only shall tend Allah's sanctuaries who...payeth the poor-due and feareth none save Allah....
9	24	Say: If your fathers, and your sons, and your brethren, and your wives, and your tribe, and the wealth ye have acquired, and merchandise for which ye fear that there will be no sale, and dwellings ye desire are dearer to you than Allah and His Messenger and striving in His way: then wait till Allah bringeth His command to pass. Allah guideth not wrongdoing folk.
9	29	Fight against such as those who have been given the Scripture as believe not in Allah nor the Last Day, and forbid not that which Allah hath forbidden by His messenger, and follow not the religion of truth, until they pay the tribute readily, being brought low.

<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
9	34	O ye who believe! Lo! many of the (Jewish) rabbis and the (Christian) monks devour the wealth of mankind wantonly and debar (men) from the way of Allah. They who hoard up gold and silver and spend it not in the way of Allah, unto them give tidings (O Muhammad) of a painful doom,
9	60	The alms are only for the poor and the needy, and those who collect them, and those whose hearts are to be reconciled, and to free the captives and the debtors, and for the cause of Allah, and (for) the wayfarers; a duty imposed by Allah. Allah is Knower, Wise.
9	71	And the believers, men and women, are protecting friends one of another; they enjoin the right and forbid the wrong, and they establish worship and they pay the poor-due,...
9	103	Take alms of their wealth, wherewith thou mayst purify them and mayst make them grow, and pray for them. Lo! thy prayer is an assuagement for them. Allah is Hearer, Knower.
13	3	And He it is who spread out the earth and placed therein firm hills and flowing streams, and of all fruits he placed therein two spouses (male and female). He covereth the night with the day. Lo! herein verily are portents for people who take thought.
14	32	Allah is He Who created the heavens and the earth, and causeth water to descend from the sky, thereby producing fruits as food for you, and maketh the ships to be of service unto you, that they may run upon the sea at His command, and hath made of service unto you the rivers;
14	34	And He giveth you of all ye ask of Him, and if ye would count the bounty of Allah ye cannot reckon it....
16	5	And the cattle hath He created, whence ye have warm clothing and uses, and whereof ye eat;
16	6	And wherein is beauty for you, when ye bring them home, and when ye take them out to pasture.



<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
16	7	And they bear your loads for you unto a land ye could not reach save with great trouble to yourselves. Lo! your Lord is Full of Pity, Merciful.
16	8	And horses and mules and asses (hath He created) that ye may ride them, and for ornament. And He createth that which ye know not.
16	9	And Allah's is the direction of the way, and some (roads) go not straight. And had He willed He would have led you all aright.
16	10	He it is Who sendeth down water from the sky, whence ye have drink, and whence are trees on which ye send your beasts to pasture.
16	11	Therewith He causeth crops to grow for you, and the olive and the date-palm and grapes and all kinds of fruit. Lo! herein is indeed a portent for people who reflect.
16	12	And he hath constrained the night and the day and the sun and the moon to be of service unto you, and the stars are made subservient by His command. Lo! herein indeed are portents for people who have sense.
16	13	And whatsoever He hath created for you in the earth of diverse hues, lo! therein is indeed a portent for people who take heed.
16	14	And He it is Who hath constrained the sea to be of service that ye eat fresh meat from thence, and bring forth from thence ornaments which ye wear. And thou seest the ships ploughing it that ye (mankind) may seek of His bounty, and that haply ye may give thanks.
16	15	And He hath cast into the earth firm hills that it quake not with you, and streams and roads that ye may find a way.
16	16	And landmarks (too), and by the star they find a way.
16	17	Is He then Who createth as him who createth not? Will ye not then remember?
16	18	And if ye would count the favour of Allah ye cannot reckon it. Lo! Allah is indeed Forgiving, Merciful.

<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
16	71	And Allah hath favoured some of you above others in provision. Now those who are more favoured will by no means hand over their provision to those (slaves) whom their right hands possess, so that they may be equal with them in respect thereof. Is it then the grace of Allah that they deny?
17	26	Give the kinsman his due, and the needy, and the wayfarer, and squander not (thy wealth) in wantonness.
17	29	And let not thy hand be chained to thy neck nor open it with a complete opening, lest thou sit down rebuked, denuded.
17	30	Lo! thy Lord enlargeth the provision for whom He will, and straiteneth (it for whom He will). Lo, He was ever Knower, Seer of His slaves.
17	31	Slay not your children, fearing a fall to poverty, We shall provide for them and for you. Lo! the slaying of them is great sin. ( )
18	7	Lo! We have placed all that is in the earth as an ornament thereof that we may try them: which of them is best in conduct.
18	47	Wealth and children are an ornament of life of the world. But the good deeds which endure are better in thy Lord's sight for reward, and better in respect of hope.
22	41	Those who, if We give them power in the land, establish worship and pay the poor-due and enjoin kindness and forbid iniquity. And Allah's is the sequel of events.
24	33	....And such of your slaves as seek a writing (of emancipation), write it for them if ye are aware of aught of good in them, and bestow upon them of the wealth of Allah which He hath bestowed upon you. Force not your slave-girls to whoredom....
24	37	Men whom neither merchandise nor sale beguileth from remembrance of Allah and constancy in prayer and paying to the poor their due; who fear a day when hearts and eyeballs will be overturned;
24	56	Establish worship and pay the poor-due and obey the messenger, that haply ye may find mercy.



<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
26	181	Give full measure, and be not of those who give less (than the due).
26	182	And weigh with the true balance.
26	183	Wrong not mankind in their goods, and do not evil, making mischief, in the earth.
28	77	But seek the abode of the Hereafter in that which Allah hath given thee and neglect not thy portion of the world, and be thou kind even as Allah hath been kind to thee, and seek not corruption in the earth; lo! Allah loveth not corrupters.
30	39	That which ye give in usury in order that it may increase on (other) people's property hath no increase with Allah; but that which ye give in charity, seeking Allah's countenance, hath increase manifold.
31	6	And of mankind is he who payeth for mere pastime of discourse, that he may mislead from Allah's way without knowledge, and maketh it the butt of mockery. For such there is a shameful doom.
34	39	Say: Lo! my Lord enlargeth the provision for whom He will of His bondmen, and narroweth (it) for him. And whatsoever ye spend (for good) He replaceth it. And He is the Best of Providers.
35	29	Lo! those who read the Scripture of Allah, and establish worship, and spend of that which We have bestowed on them secretly and openly, they look forward to imperishable gain,
35	30	That He will pay them their wages and increase them of His grace. Lo! He is Forgiving, Responsive.
36	71	And have subdued them unto them, so that some of them they have for riding, some for food?
42	12	His are the keys of the heavens and the earth. He enlargeth providence for whom He will and straiteneth (it for whom He will)....
42	32	And of His portents are the ships, like banners on the sea;

<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
42	36	Now whatever ye have been given is but a passing comfort for the life of the world, and that which Allah hath is better and more lasting for those who believe and put their trust in their Lord.
43	32	Is it they who apportion their Lord's mercy? We have apportioned among them their livelihood in the life of the world, and raised some of them above others in rank that some of them may take labour from others; and the mercy of thy Lord is better than (the wealth) that they amass.
51	19	And in their wealth the beggar and the out-cast had due share.
57	7	Believe in Allah and His messenger, and spend of that whereof He hath made you trustees; and such of you as believe and spend (aright), theirs will be a great reward.
57	20	Know that the life of this world is only play, and idle talk, and pageantry, and boasting among you, and rivalry in respect of wealth and children;...
57	27	Then We caused Our messengers to follow in their footsteps; and We caused Jesus, son of Mary, to follow, and gave him the Gospel, and placed compassion and mercy in the hearts of those who followed him. But monasticism they invented--We ordained it not for them--only seeking Allah's pleasure, and they observed it not with right observance. So We give those of them who believe their reward, but many of them are evil-livers.
58	3	Those who put away their wives (by saying they are as their mothers) and afterward would go back on that which they have said, (the penalty) in that case (is) the freeing of a slave before they touch one another....
59	7	That which Allah giveth as spoil unto His messenger from the people of the townships, it is for Allah and His messenger and for the near of kin and the orphans and the needy and the wayfarer, that it become not a commodity between the rich among you. And whatsoever the messenger giveth you, take it. And whatsoever he forbiddeth, abstain (from it). And keep your duty to Allah. Lo! Allah is stern in reprisal.



<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
59	8	And (it is) for the poor fugitives who have been driven out from their homes and their belongings, who seek bounty from Allah and help Allah and His messenger. They are the loyal.
59	9	Those who entered the city and the faith before them love those who flee unto them for refuge, and find in their breasts no need for that which hath been given them, but prefer (the fugitives) above themselves though poverty become their lot. And whoso is saved from his own avarice—such are they who are successful.
59	10	And those who came (into the faith) after them say: Our Lord! Forgive us and our brethren who were before us in the faith, and place not in our hearts any rancour toward those who believe. Our Lord! Thou art Full of Pity, Merciful.
60	8	Allah forbiddeth you not those who warred not against you on account of religion and drove you not out from your homes, that ye should show them kindness and deal justly with them. Lo! Allah loveth the just dealers.
61	11	Ye should believe in Allah and His messenger, and should strive for the cause of Allah with your wealth and your lives. That is better for you, if ye did but know.
62	10	And when the prayer is ended, then disperse in the land and seek of Allah's bounty, and remember Allah much, that ye may be successful.
64	15	Your wealth and your children are only a temptation, whereas Allah! with Him is an immense reward.
64	16	So keep your duty to Allah as best ye can, and listen, and obey, and spend; that is better for your souls. And whoso is saved from his own greed, such are the successful.
65	7	Let him who hath abundance spend of his abundance, and he whose provision is measured, let him spend of that which Allah hath given him. Allah asketh naught of any soul save that which He hath given it. Allah will vouchsafe, after hardship, ease.

<u>Chapter</u>	<u>Verse</u>	<u>Text</u>
67	15	He it is Who hath made the earth subservient unto you, so walk in the paths thereof and eat of His providence. And unto Him will be the resurrection (of the dead).
73	20	...Recite, then, of the Qur'ān that which is easy for you. He knoweth that there are sick folk among you, while others travel in the land in search of Allah's bounty, and others (still) are fighting for the cause of Allah. So recite of it that which is easy (for you), and establish worship and pay the poor-due, and (so) lend unto Allah a goodly loan....
76	8	And feed with food the needy wretch, the orphan and the prisoner, for love of Him,
76	9	(Saying): We feed you, for the sake of Allah only. We wish for no reward nor thanks from you;
78	11	And have appointed the day for livelihood.○
98	5	And they are ordered naught else than to serve Allah, keeping religion pure for Him, as men by nature upright, and to establish worship and to pay the poor-due. That is true religion.
100	8	And lo! in the love of wealth he is violent.



## APPENDIX II

Weights and Measures

Ardabb (Artaba)	= 24 Sā'ṣ
Dīnār	= 4.25 Grams
Dirham	= 3.98 Grams
Jarīb	= Artaba = 4 Qafīzs
Mithqāl	= 22 carats (Egypt 24
Mudd (Modius)	= 1½ Riṭls
Modi (Mudī)	= 40 Riṭls (½ artaba)
Qafīz	= ¼ Artaba = 6 Sā'ṣ
Qīrāt	= carat ( $\frac{1}{22}$ Mithqāl)
Qist	= 8 Riṭls = ½ Sā'ṣ
Riṭl (Litre)	= 12 Ūqiyas = 90 Mi
Sā'ṣ	= 5½ Riṭls (Iraq 8 Ri
Ūqīyya	= 40 dirhams
Wasq	= 60 Sā'ṣ

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